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Underground Poland's Attitude Towards Blackmailers and Szmalcowniks in Warsaw. A Picture Corrected

Polska Podziemna wobec szantażystów i szmalcowników w Warszawie. Korekta obrazu

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The Polish Underground State's Response to the Problem of Blackmailers and *Szmalcowniks* in Warsaw: A Revised Picture

Abstract
This text analyzes how the underground civil and military judiciary (Special Civil Court and Special Military Court) treated the plague of blackmail and denunciations which threatened the Jews hiding in Warsaw during 1942–1944. A broad search query in archives has led to a review of several theses and opinions functioning in the subject literature. It occurred that the Special Civil Court in Warsaw passed the first sentences on the blackmailers a few months earlier than previously thought, though those sentences were not carried out due to lack of technical possibilities. The critical analysis of the sources also made it possible to disprove the belief that Jan Łakiński was sentenced and liquidated for his contribution to the discovery of the shelter where the creator of Oneg Shabbat, Emanuel Ringelblum, was hiding. The fact that Łakiński was liquidated shortly after was, as it turned out, only a coincidence. The person actually responsible for the discovery of the shelter and Ringelblum's death was not fund and punished by the underground. The author has exceeded his predecessors in terms of the level of detail exhibited in his reconstruction of the functioning of the Special Civil Court in Warsaw, his description of the manner and circumstances of carrying out of all the sentences passed on individuals found guilty of anti-Jewish activity, and his discussion on the issue of the effectiveness of the surveillance of blackmailers carried out by various structures of the Polish underground.

Keywords
occupied Warsaw, counteracting blackmail, Emanuel Ringelblum, Special Civil Courts, Home Army

The Phenomenon

The rapacious exploitation of the tragedy of the Jews occurred in various forms and to different degrees, depending on the time and location, throughout all of occupied Europe.[1] In Polish territories, Warsaw provided the main stage for these activities, due to the fact that the city became the last bastion of hope for escapees from the local ghetto, as well as for those Jews who managed to get there from throughout the occupied country. The issue of preying upon Jews in wartime Warsaw was perhaps first examined in an essay by Emanuel Ringelblum in fall of 1943. Among the perpetrators, apart from the Blue Police and criminal police and hordes of plainclothes agents, Ringelblum singles out *szmalcowniks* operating on the streets and blackmailers harassing Jews in their homes. "They are," he writes, "a real plague of locusts, descending in the hundreds or maybe even the thousands upon the Jews on the Aryan side, stripping them of their money and valuables, and often all of their belongings as well."[2] As Jan Grabowski has clearly described in his groundbreaking book on the subject, the beginnings of such practices can be traced back to the first months of the German occupation.[3] At that time, gangs began to form, harassing Jews in their flats and shops, drawing encouragement from subsequent decrees issued by the occupation authorities to remove Jews from the protection of the law. They also preyed upon Jews who did not wear the mandatory armbands and – after the ghetto was established in November 1940 – those encountered on the 'Aryan' side without proper permits as well as those hiding there using false papers. From the outset, Blue Police and Kripo officers played an essential role in these abuses. Members of various other police forces didn't shy from them either, nor did Wehrmacht soldiers and *Volksdeutsche*.

The so-called great-deportation action carried out between July and September 1942 marked a watershed moment in the history of the Warsaw blackmailers. During this period, while thousands of Jews tried to find shelter on the 'Aryan' side, packs of *szmalcowniks* congregated around the gates and walls of the ghetto, "patroling" the streets. Blackmailers raided people's homes

[1] This article is the extended version of the book chapter prepared as part of the research project "The Polish Underground State in the Face of the Holocaust," funded by the NCN (registration number 2014/15/B/HS3/02484). I would like to thank Jan Grabowski for his suggestions and for making some materials available to me, Sebastian Pawlin for consultations and for providing answers to questions that were bothering me, Janusz Marszalec for helpful comments and suggestions, and Andrzej Żbikowski for all of his valuable comments.

[2] Emanuel Ringelblum, *Polish-Jewish Relations during the Second World War*, eds. Joseph Kermish, Shmuel Krakowski; trans. Dafna Allon, Danuta Dąbrowska, Dana Keren (Evanston, IL: Northwestern University Press, 1992), pp. 125, 128.

[3] Jan Grabowski, *„Ja tego Żyda znam!" Szantażowanie Żydów w Warszawie, 1939–1943* ["I know this Jew!" Blackmailing Jews in Warsaw, 1939–1943] (Warsaw: Centrum Badań nad Zagładą Żydów IFiS PAN, 2004).

looking for escapees from the ghetto; others lured Jews in under the pretext of renting an apartment only to blackmail and rob them later. The so-called January action and the subsequent ghetto uprising of April and May 1943 sent new waves of refugees. "Blackmailers, *szmalcowniks*, agents, uniformed police, and all sorts of scoundrels [*wsjakaja swołocz*] held and still hold their revels with impunity on the capital's streets," Ringelblum commented bitterly. "The murder of thousands of Jews, sentenced to death by the Gestapo after being caught, is their handiwork. Yet they come to no harm. They know that where Jews are concerned there is no law and no punishment, nobody will stand up for them." Indeed, the *szmalcowniks* "feel great respect for the 'party' and are in deadly fear of it. […] The Polish underground, however, has done nothing as yet to save the handful of Polish Jews on the Aryan side." The government delegation "has indeed issued a very belated warning that blackmailing Jews is a crime" that would be punished, but these "[w]ords have not been followed by action. Though energetic steps were taken to liquidate denouncers and informers, very little has been done in the sphere of fighting the blackmail of Jews."[4] A few months later, Ringelblum also fell victim to denouncers.

The Subject and the Sources

The Polish underground's response to the problem of blackmailing in Warsaw has already been described and analyzed many times. This subject came up in writings by former members of the resistance including Władysław Bartoszewski, staff member of the Jewish Affairs Department at the Government Delegation for Poland's office,[5] Ferdynand Arczyński, a member of the executive committee of the Żegota Council, Stefan Korboński, chief of the Directorate of Civil Resistance (*Kierownictwo Walki Cywilnej*, KWC), and Kazimierz Iranek-Osmecki, emissary of the government-in-exile and last chief of counterintelligence at the Home Army High Command (*Komenda Główna Armii Krajowej*, KG AK).[6] The topic has come

[4] Ringelblum, *Polish-Jewish Relations*…, pp. 96–99.

[5] Władysław Bartoszewski, "Po obu stronach muru [On both sides of the wall]," in *Ten jest z ojczyzny mojej. Polacy z pomocą Żydom 1939–1945* [This one is from my homeland. Poles helping Jews 1939–1945], eds. Władysław Bartoszewski, Zofia Lewinówna (2nd enlarged edition, Cracow: Znak, 1969), esp. pp. 57–59. Many stories, editorials, and documents from the underground press were reprinted here for the first time. English edition: *Righteous Among Nations: How Poles Helped the Jews*, *1939–1945*, eds. Władysław Bartoszewski, Zofia Lewin (London: Earlscourt Publications 1969).

[6] Marek (Ferdynand) Arczyński, Wiesław Balcerak, *Kryptonim „Żegota". Z dziejów pomocy Żydom w Polsce 1939–1945* [Cryptonym 'Żegota'. From the history of helping Jews in Poland 1939–1945] (Warsaw: Czytelnik, 1979), esp. pp. 83–93, including documents; Stefan Korboński, *W imieniu Rzeczypospolitej* [On behalf of the Republic of Poland] (Warsaw: IPN, 2009; 1st ed. 1954), pp. 141–151, 264–266; idem, *Polskie Państwo Podziemne. Przewodnik po podziemiu z lat 1939–1945* [The Polish Underground State. A Guide to the 1939-1945

under the scrutiny of historians, too. Teresa Prekerowa, author of a monograph on 'Żegota', wrote most extensively on this subject,[7] and Tomasz Strzembosz[8] who specialized in the Warsaw underground also examined it, as did Leszek Gondek, who analyzed it in his study on the clandestine judiciary.[9] Among more recent publications, Andrzej Żbikowski's study on anti-Jewish attitudes during the occupation should be mentioned as well.[10]

Quite a lot is known about tremendous efforts of the Council for Aid to Jews (*Rada Pomocy Żydom*, RPŻ), codenamed 'Żegota': its attempts to alert civil authorities in the Polish Underground State to the problem of blackmailing. Also known are the crucial proclamations of the Polish resistance movement – often termed "Fighting Poland" – and the number of executions carried out as a result of sentences passed by special civil courts (*Cywilne Sądy Specjalne*, CSS) on blackmailers and *szmalcowniks* was thought to be known as well. Based on that knowledge, historians estimating the scope of *szmalcowniks*' activities as well as the effectiveness of countermeasures taken by the AK (Home Army) and the Government Delegation office have reached mutually exclusive conclusions. Authors publishing in Communist Poland or in exile mainly tended to downplay the extent of blackmailing, arguing that activities taken by the underground authorities had been effective. The lack of resolve and consistency shown by the underground authorities was usually justified by these historians as being due to circumstances and logistics, if it was mentioned at all. According to Teresa Prekerowa: "Identifying a wrongdoer, let alone proving him guilty and administering justice, was extremely difficult under occupation conditions." She argued that delays had occurred because investigators and judges needed to proceed thoughtfully, and because determining "the proper operating procedures under these extremely adverse conditions" had been challenging.

Underground] (Warsaw: Świat Książki, 2008), pp. 84–86; Kazimierz Iranek-Osmecki, *Kto ratuje jedno życie… Polacy i Żydzi 1939–1945* [Who saves one life… Poles and Jews 1939–1945] (Warsaw: IPN, 2009), pp. 309–316.

[7] Teresa Prekerowa, *Konspiracyjna Rada Pomocy Żydom w Warszawie 1942–1945* [Conspiratorial Council to Aid Jews in Warsaw 1942–1945] (Warsaw: PIW, 1982), pp. 265–295.

[8] Tomasz Strzembosz, *Akcje zbrojne podziemnej Warszawy 1939–1944* [Armed actions of underground Warsaw 1939–1944] (2nd ed., amended and enlarged, Warsaw: PIW, 1983).

[9] Leszek Gondek, *Polska karząca 1939–1945. Polski podziemny wymiar sprawiedliwości w okresie okupacji niemieckiej* [Punitive Poland 1939–1945. the Polish underground justice system during the German occupation] (Warsaw: Instytut Wydawniczy Pax, 1998). All citations are from the new edition: idem, *W imieniu Rzeczypospolitej. Wymiar sprawiedliwości w Polsce podczas II wojny światowej* [On behalf of the Republic of Poland. The administration of justice in Poland during World War II] (Warsaw: Wydawnictwo Naukowe PWN, 2011).

[10] Andrzej Żbikowski, "Antysemityzm, szmalcownictwo, współpraca z Niemcami a stosunki polsko-żydowskie pod okupacją niemiecką [Anti-Semitism, blackmail, collaboration with the Germans, and Polish-Jewish relations under German occupation]," in *Polacy i Żydzi pod okupacją niemiecką 1939–1945. Studia i materiały* [Poles and Jews under German occupation 1939–1945. Studies and materials] (Warsaw: IPN, 2006), pp. 478–499.

She put forward moral arguments as well: "One can hardly make accusations against people who were the only ones in Europe building an underground judiciary."[11] Tomasz Strzembosz took a more critical view, stating that efforts to bring blackmailers to justice and liquidate them were "delayed, in a way." As he asserted: "It is regrettable that the military underground had not undertaken such actions before April 1943. Having done so would have spared hundreds of lives."[12] Despite its undeniable importance, this remark has been confined, literally, to a footnote. The writings published in exile provide a simplistic picture, painted with broad strokes. This is particularly evident in the case of Stefan Korboński, who wrote on countering *szmalcowniks* in the context of "care with which Poles and underground organizations have provided the Jews in Poland."[13] Israeli historians Israel Gutman and Shmuel Krakowski adopted an entirely different approach, maintaining that the impunity with which blackmailers operated supported the expansion of their activities. And as far as punishment meted out by the underground was concerned, they didn't attach much weight to it.[14] After the fall of Communism in 1989, the narrative became more complex. Strzembosz, the historian cited above, admitted that "the severe punitive measures by the underground did not eliminate hideous practices [blackmailing – D.L.] that continued throughout most of the occupation."[15] Żbikowski expressed a more critical opinion, recognizing that the impact of the underground courts' actions was "less than modest."[16] In recent years, we are witnessing an upsurge of the narrative focusing on the uncompromising approach the Polish Underground State employed towards the plague of blackmailing. This is repeated ever more frequently, creating the impression that such countermeasures were extensive in scope.[17]

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[11] Prekerowa, *Konspiracyjna Rada Pomocy Żydom*…, pp. 277, 279.

[12] Strzembosz, *Akcje zbrojne podziemnej Warszawy*…, pp. 416, 614.

[13] Korboński, *W imieniu Rzeczypospolitej*, p. 266. He then stated that 300,000 refugees from the ghetto owed their lives to "aid from Polish society." It is puzzling that the one of the best-informed underground members provided information that was not in accordance with reality. It is also surprising that this was not corrected by Waldemar Grabowski, the editor of the edition prepared by the Institute of National Remembrance.

[14] Yisrael Gutman, Shmuel Krakowski, *Unequal Victims: Poles and Jews during World War Two*, trans. Ted Gorelick, Witold Jedlicki (New York: Holocaust Library, 1986), pp. 283–286. The authors cite Adolf Berman's memoirs.

[15] Tomasz Strzembosz, *Rzeczpospolita podziemna. Społeczeństwo polskie a państwo podziemne 1939–1945* [The Underground Republic. Polish society and the underground state 1939–1945] (Warsaw: Wydawnictwo Krupski i S-ka, 2000), p. 96.

[16] Żbikowski, "Antysemityzm, szmalcownictwo, współpraca z Niemcami…," p. 484.

[17] At the opening of a Żegota exhibition held in the Sejm building, on March 24, 2018, IPN President Jarosław Szarek said: "The Polish Underground State punished informers and *szmalcowniks*. This was a moral judgment on their activities." https://ipn.gov.pl/pl/aktualnosci/48973,Prezes-IPN-chcemy-pokazac-jaka-byla-cena-za-niesienie-pomocy-w-morzu-zla-Uroczys.html (accessed August 11, 2018). On another occasion, Szarek stated that

As I am skeptical of propaganda exercises disguised as "politics of memory" (*polityka historyczna*), I have set myself different goals here. My article explores three aspects of the problem of blackmailing. First, it examines how clandestine organizations and leaders of the Polish underground recognized the situation in the period between 1942 and 1944; next, it places *szmalcownik* cases within the broader context of underground judiciary activities in Warsaw; and finally, it reviews the procedures put in place for identifying blackmailers. In addition, it examines the circumstances under which certain convictions were passed and executed. Many historians, while investigating this subject, have been content to repeat the same set of information, but my broader inquiry has shown that certain issues are far more complex than previously thought.

As is true of other topics involving the Polish underground and its attitude towards the Holocaust, the source material on the subject of blackmailing and extortion is also riddled with gaps. All the more so as all CSS records were destroyed during the Warsaw Uprising, including records of investigations, as well as registers of convictions passed. Only some isolated documents and pieces of correspondence are extant. Moreover, no staff member of the Warsaw civil judiciary published memoirs describing its activities. Historians do, however, have access to numerous transcripts of depositions and testimonies given during postwar interrogations and at subsequent trials by the court's prosecutor and the chief judge, as well as those given by staff members of the Directorate of Underground Resistance (*Kierownictwo Walki Podziemnej*, KWP) in Warsaw.[18] These brutal interrogations, conducted by the Ministry of Public Security (*Ministerstwo Bezpieczeństwa Publicznego*, MBP) were intended to prove the false accusation of "fighting the left."[19] And although "Jewish affairs"

blackmailers were "demoralized [persons] from the margins of society […] prosecuted by the structures of the Polish Underground State that carried out death sentences for informing on Jews." https://www.tvp.info/35791433/w-polsce-jawne-proby-wplywania-na-wewnetrzne-decyzje-zle-sie-kojarza (accessed August 11, 2018).

[18] Archiwum Instytutu Pamięci Narodowej [Archive of the Institute of National Remembrance] (hereafter: AIPN), Główna Komisja [Chief Commission] (hereafter: GK), 317/699–705, Akta sprawy przeciwko Eustachemu Krakowi, Adamowi Dobrowolskiemu, Kazimierzowi Moczarskiemu, Alfredowi Kurczewskiemu. [Case files against Eustachy Krak, Adam Dobrowolski, Kazimierz Moczarski, Alfred Kurczewski]. Stanisław Sękowski's case due to his state of health was excluded. There are numerous descriptions of the investigation: see Aniela Steinsberg, *Widziane z ławy obrończej* [Seen from the defense bench] quoted in the edition by Instytut Literacki, Paris 1977 (Lublin: Biblioteka Informatora Regionu Środkowo-Wschodniego NSZZ Solidarność, 1984); Andrzej Krzysztof Kunert, *Oskarżony Kazimierz Moczarski* [The accused Kazimierz Moczarski] (Warsaw: Iskry, 2006).

[19] An investigation against the Warsaw CSS prosecutor, Stanisław Koziołkiewicz, aimed to "explain and document his pro-Sanation activities […] up to 1939 and his anti-Communist efforts undertaken within the CSS [operations], as well as to link him and the CSS with underground groups that had been tasked with combating and eliminating left-wing organizations, the PPR and GL-AL in particular (AIPN, 0330/108, The case of Eugeniusz

in themselves were of no interest to MBP investigators, the prosecutors, and judges, the subject of the special civil courts – in what context they had come into existence, and how they operated – does make up a substantial portion of the transcripts. I have made much greater use of them than my predecessors have done, bearing in mind that those testimonies (especially those given by former KWP staff members) were mostly coerced and, as such, do not necessarily reflect what really occurred in wartime.

As to other sources upon which this article relies, 'Żegota' records were essential in building a picture of both the activities and the inaction on the part of the Polish Underground State. As far as individual convictions are concerned, I have relied heavily on the records of different AK units, especially the records of the 993/P section,[20] which were most useful for dating and clarifying many details of convictions. I should also mention here the documents of the 'Start' investigative unit of the Warsaw branch of the National Security Corps (*Państwowy Korpus Bezpieczeństwa*, PKB), [21] as well as records of two units of the Kedyw (*Kierownictwo Dywersji*, Directorate of Diversion): one at the AK High Command, and one at the AK Command of the Warsaw District. I have also made extensive use of the underground press and the internal newsletters published by the Bureau of Information and Propaganda at the AK High Command (*Biuro Informacji i Propagandy KG AK*, BIP).

The Blackmail of the Jews in Records of the Home Army and Government Delegation Office

From autumn of 1941, when occupation authorities imposed a new penalty relating to Jews caught outside of designated areas, the victims of blackmailers were condemned to death. Still, the central underground press paid scarcely any attention to the issue. Up until this point, it had warned only once of serious risks

Juliusz Ernst and Stanisław Koziołkiewicz, Investigation plan, p. 25). The indictment charged CSS staff with issuing false indictments and being responsible for the death of a dozen or so Communists (ibidem, vol. 1, Indictment against Stanisław Koziołkiewicz and Eugeniusz Ernst, July 7 1952, pp. 118–123). The defendants entered a not-guilty plea, so on March 10, 1955 the court sent the materials back for additional information. A year later, the case was dismissed.

[20] "P" stands for "police;" the unit set up within the Security and Counterintelligence Division of the Second Department of the Home Army High Command (*Wydział Bezpieczeństwa i Kontrwywiadu Oddziału II Komendy Głównej AK*) to deal with common crime; for more on its personnel and operations, see *Wywiad i kontrwywiad Armii Krajowej* [Intelligence and counterintelligence of the Home Army (AK)], ed. Władysław Bułhak (Warsaw: IPN, 2008), pp. 270–274.

[21] Full name: *Ekspozytura Urzędu Śledczego Państwowego Korpusu Bezpieczeństwa dla miasta stołecznego Warszawy* [Branch of the Investigation Office of the State Security Corps for the capital city of Warsaw]; for more on these units, see Janusz Marszalec, *Ochrona porządku i bezpieczeństwa publicznego w Powstaniu Warszawskim* [Protection of public order and security in the Warsaw Uprising] (Warsaw: Rytm, 1999), pp. 63–69.

that collaboration motivated by anti-Jewish attitudes would pose; this was when the Germans attempted to form a Polish auxiliary unit to guard labor camps for Jews. At that time, *Biuletyn Informacyjny* published a warning to the effect that joining that unit would be regarded as high treason. Among the justifications for prohibiting voluntary participation in "any and all […] anti-Jewish actions organized by the Germans" was that "the German enemy will utilize this auxiliary service […] to compromise us in the eyes of others."[22] No directive prepared by the Directorate of Civil Resistance to regulate moral conduct among Poles mentions crimes against Jews – not even the most detailed code of civic morality (*kodeks moralności obywatelskiej*) that lists crimes against "the Polish State and Polish People."[23] It is true enough that this code was compiled in autumn of 1941, months before the escalation of repressions against the Jews. But it is also true that the central underground newspapers didn't pick up on this subject for several months, though they repeatedly condemned informing on countrymen and other forms of collaboration with occupation forces. Tomasz Szarota, an expert on the wartime history of Warsaw, rightly stated that the code of civic morality contained a regulation that made easier the subsequent crackdown on *szmalcowniks* of different kinds.[24] The regulation in question relates to the "exploitation of a person in a forced situation, using violence against him, threating to turn him in to the enemies, or complying with the enemies' orders" (punished by social expulsion). Nonetheless, as Jan Grabowski unequivocally demonstrated in detail in his book,[25] until summer of 1943, German law enforcement had been the only ones posing a threat to Warsaw *szmalcowniks*. Along with Poles who were wrongly suspected of being of Jewish descent, Jews sometimes also reported harassment and extortion to the authorities during the first years of the occupation. Quite understandably, the Germans were interested mostly in leads about incidents of corruption involving Germans and Poles, and in information on those pretending to be acting for the police. None of this, however, discouraged pathological anti-Semites or deterred a horde of people wanting to help themselves to Jewish property. And, contrary to what many writing about the history of wartime Warsaw have stated, those perpetrators didn't come solely from the dregs of society.

Any discussion about the crimes against the "Polish State and Polish People," listed in the code of civic morality, needs to take into account both the

[22] *Biuletyn Informacyjny*, March 6, 1941, p. 1; cited also in *Polacy – Żydzi. Polen – Juden. Poles – Jews. 1939–1945. Wybór źródeł. Quellen Auswahr. Selection of documets,* ed. Andrzej Krzysztof Kunert (Warsaw: Rytm, 2003), p. 190.

[23] For the context in which the canon was created and its content, see Tomasz Szarota, *Okupowanej Warszawy dzień powszedni. Studium historyczne* [Occupied Warsaw's Everyday Life. A historical study] (4th enlarged edition, Warsaw: Czytelnik, 2010), pp. 430–435.

[24] Ibidem, p. 434.

[25] His analysis is based on almost 240 criminal cases (*Sondergericht Warschau* and *Deutsches Gericht*), mostly between 1940 and 1942.

ambivalence that existed in underground circles towards the concept of Jews as Polish citizens and the fact that this attitude had spread far beyond nationalist groups. *Wiadomości Polskie*, a leading newspaper published under the AK High Command auspices, wrote at the end of 1941: "In Polish territory, the present war has demonstrated, more than at any other period during our history, an estrangement of the Jewish masses from the political and historical aspirations of the Polish People." This diagnosis referred to the eastern provinces seized by the USSR in autumn of 1939 and to territories under German occupation. Nowhere could "the Jewish masses" – with the exception of polonized individuals – "have found any bond linking them, either practically or emotionally, to the struggle of the Polish Nation to regain freedom." The newspaper argued that there were no indications that this inclination might be reversed, but rather Jews would continue to avoid "civic engagement with the fight for freedom for the future Polish State" and would therefore continue to pose a threat after the war.[26] Although this matter was not addressed directly in the mainstream underground press, there was still a tendency to describe reality in national rather than civic terms. This had significant consequences when it came to the view of the fate of Jews held both by the secret-state leadership and by the underground's ranks, resulting in distance being maintained from the Jewish population.

It was not until the beginning of July 1942 that *Biuletyn Informacyjny*, the AK High Command main press organ, reported on murders of people "caught living outside the ghetto," smugglers, and Jews who had come to Warsaw from the eastern territories.[27] However, *Biuletyn Informacyjny* did not raise this subject during_the great deportation action, though BIP internal newsletters addressed it several times. *Informacja Bieżąca* seems to have touched on the problem for the first time at the beginning of September. In the closing sentence of a news report regarding the deportation, it stated that: "In the 'Aryan quarter' the number of cases of denunciation of persons who escaped from the ghetto is increasing; along with professional agents, many amateurs are active in this field for money (blackmail)." Later, it added that a tenement-building superintendent in Warsaw's Grochów district informed on a Jewish woman who had delivered a baby. A gendarme shot the woman dead and crushed the baby under his feet.[28] Early in December, the paper noted that Jews were returning to the ghetto due to insufficient resources.[29] *Agencja Prasowa*, newsletter for clandestine-newspaper editors, pointed out the contemptible role played by the Blue Police and Polish

[26] "Zagadnienie żydowskie [The Jewish issue]," *Wiadomości Polskie* 57 (1941): 2–4.

[27] "W getcie [In ghetto]," *Biuletyn Informacyjny*, 27 (July 9, 1942): 7.

[28] "Sprawy żydowskie [Jewish Affairs]," *Informacja Bieżąca*, 32 (November 1, 1942): 1; "Getto warszawskie," *Informacja Bieżąca*, 33 (September 8, 1942): p. 2. Information on the superintendent was published in *Aneks* as well 38 (September 1–15, 1942): 4.

[29] *Informacja Bieżąca*, 44 (December 2, 1942): 4. There were also reports about catching Jews in the provinces. Unfortunately, four of the November reports are missing.

Kripo agents. "In connection with the operation to capture the remains of the Jews hiding in Warsaw […], they stop on the streets people in whose look a grain of the Oriental Type can be detected and take them to a police station. In fact, it is sheer blackmail; its purpose is that one needs to 'prove' by way of cash that one is not of Jewish nationality at all."[30]

The underground press also demonstrated a tendency to downplay the extent of these schemes, clearly attaching much more importance to the looting of victims' possessions, as that became the topic of several lengthy articles. Besides, any time the press recounted an example of moral corruption, it made a point to emphasize the resistance of Polish society against the occupiers. Clear illustrations of this approach can be found in reports prepared by Tadeusz Myśliński, leader of the security section in the Department of Internal Affairs of the Government Delegation office. One can read there that "episodes of preying upon the misfortunes of the Jews are largely isolated." Those reports mention only isolated incidents: "a gang of Poles looting Jewish apartments [in the ghetto] at night," a group of extortionists operating near Ogrodowa Street "where the Jews make their way into the city." The reports also accentuate "Polish society's perpetual sidestepping of the Germans' demands, who wanted Poles to hunt and turn in Jews in hiding." Even "the thoroughly corrupt Blue Police" were reputed "to deliberately avoid more drastic and repressive measures," and "clearly sabotage" orders to shoot escapees.[31]

Reports and intelligence sent to London at that time echoed these opinions. One of these reports, indicating the growing number of ghetto escapees, painted the following picture: "Escapees are in search of financial assistance, accommodation, IDs, and so forth, while the Polish population largely rushes to their aid with great dedication despite the significant personal risks involved. Jewish refugees do not exercise much caution in their behavior. They wander the streets. They visit Polish homes, travel by train. Given the recently increased activities of the Gestapo and the police, this situation can add greatly to the overall suffering [*konto cierpień*] of the Polish population."[32] This account implied that Jews were the primary source both of danger for themselves and for the Polish population.

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[30] "Ostrzeżenie przed granatowymi [A warning about the blue (policemen)]," *Agencja Prasowa*, 44 (November 4, 1942): 4.

[31] Archiwum Akt Nowych [Archive of Modern Records] (hereafter: AAN), 202/II-35, Report for the period from July 15 to September 15, 1942. Likwidacja dzielnicy żydowskiej w Warszawie [Liquidation of the Jewish quarter in Warsaw], p. 14; ibidem, Report for the period from September 15, 1942 to February 15, 1943. Excerpts from the latter are published in my article "ZWZ-AK i Delegatura Rządu RP wobec eksterminacji Żydów polskich [ZWZ-AK and the Government Delegation for Poland on the extermination of Polish Jews]," in *Polacy i Żydzi pod okupacją niemiecką*…, pp. 159–160.

[32] AAN, 202/XV-1-2, Zagadnienie żydowskie [The Jewish issue], for the period October 15 to November 15, 1942, pp. 80–80a.

An issue of the Information and Press Department of the Government Delegation's periodical study "Pro memoria o sytuacji w kraju [Pro memoria on situation in the country]" then devoted a separate paragraph to ghetto refugees. It stated that cases of Germans capturing refugees were "rather rare," and the conduct of the Christian population was that of "wholehearted dedication." Corroborating the latter point, the study highlighted an announcement threatening those helping Jews with death, and promising rewards to informers. "One has not heard of instances of Poles paying mind to the content of this announcement." On the other hand, the study's writers reported "numerous instances of arresting many persons on the charge of providing aid to the Jews."[33]

Several weeks after the deportation from the ghetto had been completed, *Rzeczpospolita Polska*, the Government Delegation office's press organ, published a story that mentioned ongoing "tracking and capturing of Jews who managed to sneak out of the ghetto and into the city and suburban areas." One should interpret that remark in the context of a platform-editorial, "Wobec zbrodni niemieckiej dokonanej na Żydach [In view of the German crime committed against the Jews]," published slightly earlier. Its main points can be reduced to the conclusion about "the thorough integrity of Polish nature" shaped by Christian ethics: instances of complicity were "despite encouragement from the occupier, rare and sporadic." Poles, unlike Lithuanians, Latvians, and Ukrainians, had once again proven their "spiritual evolution."[34]

Appeals and Pressure Applied

Allegedly among the petitions that government envoy Jan Karski brought back to London from visiting Warsaw's ghetto was one in which Jewish community representatives appealed to Commander-in-Chief and Prime Minister Władysław Sikorski and Minister of Internal Affairs Stanisław Mikołajczyk to launch a campaign against traitors and blackmailers.[35] However, neither document

[33] "Pro memoria o sytuacji w kraju [Pro memoria about the situation in the country]" for the period August 26 – October 10, 1942, in *Pro memoria (1941–1944). Raporty Departamentu Informacji Delegatury Rządu RP o zbrodniach na narodzie polskim* [Pro memoria (1941–1944). Reports of the Information Department of the Government Delegation of the Republic of Poland on crimes against the Polish nation], selected and ed. by Janusz Gmitruk et al. (Warsaw: Muzeum Historii Polskiego Ruchu Ludowego, Pułtusk: Wyższa Szkoła Humanistyczna im. Aleksandra Gieysztora, 2004–2005), p. 250.

[34] "Sprawy żydowskie [Jewish Affairs]," *Rzeczpospolita Polska*, 19 (November 1, 1942): 16; "Wobec zbrodni niemieckiej dokonanej na Żydach [In view of the German crime committed against the Jews]," *Rzeczpospolita Polska*, 18 (October 14, 1942): 5–7.

[35] Karski's account of September 3, 1979 in Walter Laqueur, *The Terrible Secret: An Investigation into the Suppression of Information about Hitler's 'Final Solution'* (London: Weidenfeld & Nicolson, 1980), p. 234. This topic later surfaced in Claude Lanzmann's *Shoah.*

prepared for Karski by the BIP Information Department[36] nor any of his own reports raised this issue. It is also absent from statements he made from 1942 to 1943. The envoy, when questioned on Polish society's attitude towards the Jews, stated tersely: "The reason Jews are in this great hardship is the fact that their very appearance betrays them; and the Germans, upon encountering a Jewish outlaw, or [one who] is not in a designated area, invariably kill him, often inflicting suffering and always punishing anyone who has concealed him, aided him in escaping, or failed to report any Jew who has become an outlaw. The obvious outward appearance of Jews makes it essentially impossible for them to escape death."[37] Karski brought a letter from Leon 'Mikołaj' Feiner of the Bund Central Committee to Shmuel Zygielbojm of the National Council in London that refers more directly to the problem: "One must not overlook acts of compassion, support, and aid offered from the Polish population in silence. On the other hand, there have also been manifestations [*objawy*] such as blackmail and plundering and the theft of belongings left by 'the resettled' in their apartments."[38] However, the letter does not recommend that such practices be prosecuted. Ringelblum estimated that about 10,000 Jews escaped to the Aryan side during the deportation action. Another time, while noting the fact that 'Brylanciarz' had to pay 75,000 złotys and some girl 60,000, he summed up the dangers awaiting Jews: "Whole gangs of *szmalcowniks* operate just outside the [ghetto] walls." There is also a somewhat vague and perplexing remark about "combating and liquidation of blackmailers" by Polish organizations,[39] as no such action against those perpetrating against Jews had yet been taken.

Towards the end of 1942, the matter became very serious, as is confirmed in an appeal contained in the founding document of the Council for Aid to Jews.

Karski's story that he had seen signed death sentences on *szmalcowniks* should be questioned because the civil court did not yet exist during his visit in occupied Warsaw.

[36] This is not the place to discuss controversy related to Karski's mission and the content of materials he took from Warsaw. On this topic, see Adam Puławski, *Wobec niespotykanego w dziejach mordu. Rząd RP na uchodźstwie, Delegatura Rządu RP na Kraj, AK a eksterminacja ludności żydowskiej od „wielkiej akcji" do powstania w getcie warszawskim* [Facing an unprecedented murder in history. The Government of the Republic of Poland in Exile, the Government Delegation for Poland at Home, the AK and the extermination of the Jewish population from the 'Great Action' to the Warsaw Ghetto Uprising] (Chełm: Stowarzyszenie Rocznika Chełmskiego, 2018).

[37] Published in *Polacy i Żydzi pod okupacją niemiecką*…, p. 157.

[38] Letter of the Bund authorities, August 31, 1942, in *Ten jest z ojczyzny mojej*…, p. 969.

[39] Emanuel Ringelblum, "Kronika getta warszawskiego," in *Archiwum Ringelbluma. Konspiracyjne Archiwum Getta Warszawy* [Ringelblum Archive. Conspiratorial Archive of the Warsaw Ghetto], vol. 29: *Pisma Emanuela Ringelbluma z getta* [Emanuel Ringelblum's Writings from the Ghetto], ed. Joanna Nalewajko-Kulikov (Warsaw: ŻIH, 2018), p. 384 (entry: "Aryjska strona, lato–jesień 1942" [The Aryan side, summer–autumn 1942]), p. 401 (entry: "Polacy, jesień–zima 1942" [Poles, autumn–winter 1942]). I wish to thank Joanna Nalewajko-Kulikov for allowing me access to these excerpts before the publication of the book.

Addressed to Delegate of the Government Jan Piekałkiewicz, it called for an extension of the decree on punishing those collaborating with the occupation, to the detriment of the Polish state and its citizens, to include those who "commit acts of extortion of Jews, or those who participate in such acts in any capacity whatsoever." It also appealed to Delegate Piekałkiewicz to address this matter publicly. 'Żegota', contrary to the sentiment internal newsletters expressed along with the central underground press, recognized from the outset that blackmailing was an extremely dangerous practice and was occurring on a mass scale. Combatting it would increase the effectiveness of aid for the Jews and it would also "deter the moral decay of society."[40] The appeal made reference to a proclamation Piekałkiewicz had issued somewhat earlier threatening overzealous employees of labor offices and officers of the Blue Police with prosecution.[41] An effort was also made to raise the issue of blackmail with the government-in-exile: "Daily life of these remnants of the Jewish population – […] hunted down like wild animals – is marked by starvation and cold, constant fear for their lives, and the necessity of defending themselves against plague of despicable individuals threatening them with blackmail."[42] This assessment conflicted with the official stance promulgated by materials sent then by the Government Delegation office to London. A periodic report written in February 1943 stated only that "Jews who are hiding and discovered outside the ghetto are regularly [met with] summary extermination." A month later, the Delegation office reported: "A certain number of Jews are hiding in Warsaw, in the Aryan district; German authorities are trying to catch them all."[43] The role the local population played in these activities was mentioned in an obtuse fashion at best.

It was a burning problem and became even more so when in the middle of January 1943 the next wave of refugees began to flee the ghetto during and in response to the the so-called January action, an operation run by the leader of the SS and police in the Warsaw District. The issue kept resurfacing during subsequent executive-committee meetings of the RPŻ (Council for Aid to Jews), demonstrating that it was among the council's most pressing issues.[44] 'Żegota' efforts received firm support from the leadership of the Polish Socialist Party – Freedom, Equality, Independence (*Polska Partia Socjalistyczna – Wolność, Równość, Niepodległość*, PPS-WRN). They deemed it necessary to pressure the government delegate so he

[40] Letter of the Provisional Executive Committee of the RPŻ (Feiner, Berman, Arczyński) to the Plenipotentiary of the Government, December 29, 1942, in Prekerowa, *Konspiracyjna Rada Pomocy Żydom*…, p. 365.

[41] "Oświadczenie Delegata [Delegate's Statement]," *Biuletyn Informacyjny*, 40 (October 15, 1942).

[42] Letter of the RPŻ, January 1943, in Arczyński, Balcerak, *Kryptonim „Żegota"*…, pp. 200–201.

[43] "Pro memoria o sytuacji w GG" for the period from January 24,. to February 24, 1943 and "Pro memoria" for the period from February 25 to March 24, 1943, in *Pro memoria*…, pp. 290, 299 ("Połów ukrywających się Żydów" [Fishing for the Jews in hiding]).

[44] Gutman, Krakowski, *Unequal Victims*…, p. 283.

would issue a punishment warning for Poles looting Jewish possessions and for blackmailers and informants, as well. The Germans, as their argument ran, could use those events for propaganda purposes; a letter was delivered to the delegate with the aim that he utilize its language in drawing up his statement.[45] Henryk Woliński, heading the KG AK's Bureau of Jewish Affairs, was also soliciting for proper countermeasures to be used. In one of his dispatches, Woliński recounted what happened to one of his acquaintances who, while being harassed by Kripo men, referred to the AK warning. He warned them that he was a Polish officer "and that they, as Poles, should be familiar with the Polish authorities' decree back at home concerning blackmailers; otherwise, he added, they could do with him whatever they liked." They gave up, "visibly confused." Needless to say, Woliński availed himself of this opportunity to underscore the fact that no such statement on *szmalcowniks* had yet been issued.[46] One may interpret this as a pointed recommendation to his superiors. Still, there are no traces of any activities concerning this issue among the records of the KG AK's Bureau of Jewish Affairs, though that doesn't necessarily mean that none were undertaken.

It may be that the first positive result of 'Żegota' efforts was a warning issued by the Directorate of Civil Resistance (*Kierownictwo Walki Cywilnej*, KWC) to those who blackmailed Polish Army officers in hiding, underground activists, and Jews. An editorial published in the local edition of *Biuletyn Informacyjny* illustrated the issue:

> During the liquidation of the ghetto in Otwock, or maybe Miedzeszyn, a childless family was fostering a three-year-old girl, fair-haired, of a type not at all Semitic in appearance. And here, one such scoundrel bereft of honor and conscience shows up and clearly intimates, face to face, that he knows that the child is in fact of Jewish origin and, in exchange for his silence, demands a substantial wad of cash.
>
> But a ransom once given only provokes further, leading to ever more aggressive demands and threats. As a result, these two kindhearted people give everything, down to their last penny, to protect both the child and themselves from denunciation.

The article concluded with a warning:

> The gangrene of blackmailers who continue to proliferate, acting more and more brazenly among our involved [*czynnie nastawionego*] society,

[45] Yad Vashem Archive (hereafter: YVA), O.6/83, Letter of the WRN to the RPŻ (January 5, 1943) sent to the Delegate of the Government. Such threats had not been mentioned at all in any earlier documents related to the extermination of the Jews. The whole society that was said to be "full of indignation and contempt for the murderers" allegedly took a "determined" stand against this mass murder ("Zbrodnia jakiej nie było [A crime like no other]," *WRN*, 18 [September 28, 1942]: 1–3).

[46] AAN, 202/XV-2, Meldunek Ż/20 [Report Ż/20], February 12, 1943, p. 207; published in *Polacy i Żydzi pod okupacją niemiecką*…, p. 163.

> we must burn out with fire! There shall be no place in free Poland for blackmailers. For them, there should be, at most, a place by the fence with a bullet to the head or dangling from a dry branch with a noose around their neck.[47]

This announcement, however, was never printed in the central underground press.

In any case, an official response to the appeal from the 'Żegota' executive committee did not come until the beginning of March 1943. In his letter concerning numerous RPŻ's memoranda, Witold Bieńkowski, the liaison between the council and the Delegation office, promised that the delegate would be taking a "positive" stance towards the idea of issuing an anti-blackmail proclamation, and that the delay had been caused by "reasons technical in nature."[48] It cannot be ruled out that this lack of decisiveness was related to the change in the delegate post, with Jan Stanisław Jankowski taking over from Piekałkiewicz, who had been arrested on February 19, 1943. This fact had to affect the way office functioned and decisions were made. Indeed, soon enough the silence on the matter of blackmailers would be broken. The central underground press, with other newspapers following suit shortly thereafter, published the KWC declaration on blackmailing Jews. *Biuletyn Informacyjny* gave it the proper importance, printing the statement on the second page. *Rzeczpospolita Polska* relegated it to page 15. The declaration cautions that "individuals, without honor or conscience, coming from the criminal underworld, who have created a new source of immoral earnings for themselves by blackmailing those Poles who help Jews and the Jews themselves," are "registered, and will be punished to the full extent of the law […] if possible at present, and if not then in the future."[49] The lack of the delegate's signature, however, diminished the impact of the document. It needs to be noted that this declaration was only the second official statement made concerning the extermination of the Jews. The previous one, also signed by the KWC, had been issued almost a half a year earlier, on September 17, 1942.

Biuletyn Informacyjny reprinted the KWC's anti-blackmail declaration with a pointed editorial. While noting that the frequency of denunciations had

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[47] "Piętnujemy. Szantażyści [We stigmatize. Blackmailers]," Supplement to the P-edition of *Biuletyn Informacyjny*, 4 (January 28, 1943).

[48] Witold Bieńkowski to the RPŻ, March 4, 1943, in Arczyński, Balcerak, *Kryptonim „Żegota"*…, pp. 205–206.

[49] Bieńkowski to the RPŻ, March 4, 1943, in Arczyński, Balcerak, *Kryptonim „Żegota"*…, pp. 205–206.

"Ostrzeżenie [Warning]," *Rzeczpospolita Polska*, 4/5 (March 11, 1943): 15; "Szantaże i ich zwalczanie [Blackmailing and how to combat it]," *Biuletyn Informacyjny*, 11 (March 18, 1943): 2; for a published translation, see *Polacy – Żydzi. Polen – Juden. Poles – Jews*…, p. 221, or Joshua D. Zimmerman, *The Polish Underground and the Jews, 1939–1945* (Cambridge: Cambridge University Press, 2015); ch. 7, f. 81, e-book edition.

decreased in Warsaw and throughout the country, the article also highlighted the fact that professional-blackmail groups were emerging, there were politically motivated denunciations, families of the imprisoned were being preyed upon, and society as a whole was being plagued by bribery. The editorial repeated the threat of keeping a record of these crimes with the aim of retaliating against the perpetrators "when the time was right."[50] *Prawda*, a press organ of the Front for the Rebirth of Poland (*Front Odrodzenia Polski*), published an editorial written in a much sharper tone by Zofia Kossak-Szczucka. She recognized that the scope of denunciations was appalling and therefore not to be ignored: "We need not to, even for reasons of international reputation, remain silent about these homegrown scoundrels who prey upon human misfortune and adversity. Both the appalling increase [in the number] of denouncers and the incredible rise of well-coordinated groups of extortionists threaten ever-increasing numbers of civilians, and make life impossible for those who, being hounded by the invader, feel like exhausted, mad dogs." Then, bringing the reader's attention specifically to the fate of the Jewish population, she continued: "We speak also of the Jews. This latter [group], *particularly*, fall victim to rapacious blackmail […]. Today we emphasize as clearly as possible that *we are witness to the most shameful process of preying upon them in [the time] of their calamity* [emphasis: D.L.]. There is no justification for this. Antisemitic beliefs notwithstanding, there can be no denying that an extortionist is a villain." The concluding paragraph echoes 'Żegota' requests: "We hope that the publication of the sentence posted on walls throughout the city, beginning with the phrase "*w imieniu Rzeczypospolitej* [in the name of the Republic]," will produce a sobering effect."[51] Strong press voices such as these were, however, the exception. From among the parties that participated in the Council for Aid to Jews, only the SD press (*Stronnictwo Demokratyczne*, Democratic Party) adopted a similar tone. Of the wide assortment of nationalist newspapers, none considered it a problem. In February 1943, they covered circumstances in which Germans discovered an underground printing shop of the main organ of the Szaniec group. Admittedly, the press reported that the shop had been exposed while the Germans were looking for Jews in hiding outside the ghetto, but offered this information without any editorial comment.[52] In fact, this indifference to the fate of Jews in hiding pointed towards a broader problem, as a range of the pro-Piłsudski press didn't seem bothered by it either.[53]

[50] "Hieny [Hyenas]," *Biuletyn Informacyjny*, 11 (March 18, 1943).

[51] "W imieniu Rzeczypospolitej," *Prawda*, March 1943, p. 10; for a published translation, see *Polacy – Żydzi. Polen – Juden. Poles – Jews*…, pp. 224–225.

[52] "Od redakcji," *Szaniec*, 4 (February 15, 1943): 1. An alarming article published some time later, headlined "Szantaż [Blackmail]," concerned the treatment of the NSZ by the AK press (*Szaniec*, 6 [April 4, 1943]: 1).

[53] Marek Gałęzowski, *Przeciw dwóm zaborcom. Polityczna konspiracja piłsudczykowska w kraju w latach 1939–1947* [Against Two Partitioners. Piłsudski's political conspiracy in the country in 1939–1947] (Warsaw: IPN, 2013), p. 358.

While the KWC's declaration constituted a first step towards countering extortionists' activities, it was also clear that threats and warnings alone wouldn't actually be effective. At the end of March, RPŻ notified the delegate of the death of Alfred Borenstein, "a clerk of the Konrad Żegota section" in the Delegation office. As Borenstein didn't have the "terribly" much money his blackmailers demanded, he was informed upon and executed. The council once again characterized blackmailing as a plague and a mass phenomenon, demanding punishment by death of avid Blue Police and of civilian extortionists. Equally important was that the council expressed the need for special posters displayed prominently to inform society about sentences that had been carried out.[54] Soon after, the council sent another, longer letter. In it, they petitioned for expedited procedures for fighting extortion that was spreading "in an appalling way" and affecting almost all Jews already struggling for survival. That some Jews had experienced so many repeated extortions called into question the significance of the RPŻ' efforts. It was, as the letter emphasized, symptomatic of "spreading moral decay." For both reasons, the "systematic, unforgiving, and organized" struggle against blackmailing was deemed "the imperative of the moment." The matter was characterized as highly important "from the social viewpoint, as well as from the standpoint of national interest." The letter demanded that investigative procedures be simplified and that information be publicized immediately on sentences that had been carried out. The letter recommended that if a verdict had not yet been reached, a made-up sentence be reported instead. Such a move, however desperate, would – they argued – be justified by its obvious social benefit and also by the simplicity of its implementation. In the end, the council requested data on the number of cases, both open and closed, as well as the number of sentences that had been passed by the court.[55]

RPŻ obtained no such information on the open cases. We don't know what justification was given for the refusal,[56] but the Directorate of Civil Resistance issued another announcement. This was concerned exclusively with extortionists who were preying upon Jews. It mentioned, with disgust, that "even individuals claiming to have contacts in certain underground spheres" participated in these practices. The message in the concluding paragraphs was unusually clear-cut: "Every decent Pole […] should be obliged to report to our underground authorities the concrete and proven facts about such 'deeds' on

[54] The letter was most likely drafted at the RPŻ session on March 25, 1943; published in Prekerowa, *Konspiracyjna Rada Pomocy Żydom*…, pp. 370–371. During the time the ghetto was in existence, Alfred Borenstein, a doctor of economics, was employed by the ŻSS (Basia Temin-Bermanowa, *Dziennik z podziemia* [Diary from the Underground], introduction, annotations, eds. Anka Grupińska, Paweł Szapiro [Warsaw: ŻIH and Twój Styl, 2000], p. 52).

[55] YVA, O.6/83, Memorandum to the Delegate, April 6, 1943, p. 24; excerpt of the document cited in Prekerowa, *Konspiracy jna Rada Pomocy Żydom*…, pp. 279–280.

[56] Prekerowa, without citing a source, writes justifyingly that the proposal was rejected from fear of losing public trust (ibidem, p. 280).

the parts of these outcasts of society. […] With bullets and steel, we must burn out scoundrels of this type from the body of society. Let no trace of them remain on the ravaged body of our homeland!"[57] Yet this document was never reprinted by the mainstream underground press.

With the outbreak of fighting in the ghetto, the next chapter had begun in the history of this extortion business in wartime Warsaw. On May 7, BIP's cooperaiting economist Ludwik Landau noted in his journal: "it is open season on Jews – throughout the whole of Warsaw, as well as in the suburbs (and, most likely, everywhere else too)."[58] As early as the end of April, in the wake of the meeting between Tadeusz 'Różycki' Rek and the government delegate, the RPŻ executive committee received an assurance that "a matter of blackmailing will be managed [*uregulowana*] through publications in the underground press and the issuance of semiofficial warnings" in the form of posters and leaflets.[59] Indeed, *Rzeczpospolita Polska* warned that as far as blackmailers and informants were concerned, "their names should be listed and handed over to the special courts in order to enact the most severe penalties." However, the paper still limited this problem by writing about "depraved individuals – unfortunately, frequently attired in a police uniform," contrasting them with "the great majority" of Polish society which is morally sound and imbued with Christian values [*duchem chrześcijańskim*].[60] For its part, the Council for Aid to Jews decided to appeal to Poles to provide aid to Jews. In a leaflet issued by the council, it also warned that anyone collaborating with the Germans "will be punished immediately, and that any of those who manage to avoid punishment" would be held accountable after the war. The leaflet was signed by a fictitious body of "Polish Independence Organizations." Yet again, this leaflet was not quoted by the underground press, thereby reducing its effectiveness.[61]

At the end of June, the KWC released another anti-blackmail announcement. This one openly described the scope of the phenomenon:

> During the last few weeks, a sheer frenzy of murderous blackmailing and denunciations has been unleashed throughout the Warsaw suburbs. This madness is for sniffing out Jews everywhere and bringing about monstrous crimes from both a purely human as well as a national standpoint. A great

[57] "Piętnujemy! Szantażyści po raz wtóry [We stigmatize! Blackmailers for the second time]," *Biuletyn Informacyjny*, 15 (April 15, 1943), the supplement *Z Frontu Walki Cywilnej*. Excerpt reprinted in Zimmermann, *The Polish Underground and the Jews*…, ch. 7, f. 84, e-book edition.

[58] Ludwik Landau, *Kronika lat wojny i okupacji* [Chronicle of the war and occupation years] (Warszawa: PWN, 1962), vol. 2, pp. 396–397.

[59] YVA, O.6/82, Streszczenie protokołu posiedzenia prezydium RPŻ [Summary of the minutes of the executive committee of the RPŻ], April 28, 1943, p. 4.

[60] "Żerowanie na najcięższych tragediach [Preying on the gravest tragedies]," *Rzeczpospolita Polska*, 8 (May 6, 1943): 8–9; in English in *Polacy – Żydzi. Polen – Juden. Poles – Jews*…, p. 257.

[61] Odezwa RPŻ [A proclamation from the RPŻ], in *Ten jest z ojczyzny mojej*…, p. 949.

> number of persons whose only misfortune lies in the fact that their facial features resemble those of Jews fall victim to these deplorable misdeeds of Hitlerite lackeys.

But it then struck a conciliatory tone, as well: "fortunately, these individuals are few in number, but even so, they are here, and therefore they should be condemned most severely." Examples given include incidents in towns of Otwock, Płudy, and Falenica.[62]

A report, sent to London by the Delegation' office about the same time, shows that underground authorities were still not ready to cast off their illusions. It maintained that it was mainly the Germans who were waging operations against the Jews, and only on rare occasions did they employ lowlifes and scum to carry out their work.[63]

> A report sent by the Bund to fellow party members in London referenced the perils awaiting Jewish fugitives, in an oblique way: [Mass] psychosis is developing among the populace, intentionally fueled and propagated by the occupier, a psychosis directed against the Jews. The Germans are increasing pressure, and an effort intensifies to track down and liquidate Jews. Day by day, whole packs of agents, and police of all types, uniformed and plainclothes, are scrambling through the streets, public establishments, and [private] apartments, trying to sniff out new victims. These circumstances are ideal for blackmailing, which is becoming a disaster. There are persons who have suffered repeated extortion. In apartments, blackmail strips its victims of their belongings, not only money and valuables; and on the streets, it robs them of their clothing and shoes.

But in the end, the report stated that the "battle against blackmail is being waged. It is in the interests of Poland's underground movement."[64] Possibly, this was meant as a way of putting pressure on Polish government entities. But it still took several more weeks before information was to be publicized concerning the first sentence on a *szmalcownik*.

Blackmail Cases in the Civil Judiciary System

Crimes against Jews could come under the jurisdiction of the special military courts (*Wojskowe Sądy Specjalne*, WSS). The AK High Command and regional commands started to establish these in spring of 1940. The WSS statute,

[62] "Piętnujemy. Szał donosów i szantaży [We stigmatize. A frenzy of denunciations and blackmail]," *Biuletyn Informacyjny* 25 (April 25, 1943); the supplement *Z Frontu Walki Cywilnej*.

[63] "Pro memoria o sytuacji w kraju" for the period from May 22 to June 19, 1943, in *Pro memoria*..., p. 380.

[64] Report "A" of the KC Bund for the period from September 1, 1942 to June 22, 1943, in *Ten jest z ojczyzny mojej*..., p. 978.

prepared in Poland and approved by London in November 1941, gave the courts jurisdiction over ZWZ-AK members as well as jurisdiction over crimes "(directly) undermining the security of the Armed Forces in the Homeland." According to Władysław Sieroszewski, chief judge of the WSS for the AK's Warsaw Region, that second category was interpreted broadly and included "all crimes detrimental to the state and the people," among them those committed by *szmalcowniks*. Later, the majority of these cases were transferred to civil courts.[65] Nonetheless, it is hard to indicate any tormentor of Jews active in the Warsaw area convicted by the underground judicial system in 1942.

The civil judicial system began to be formed in Warsaw in late fall of 1942. As statutes required that the special courts (later called "special civil courts" to distinguish them from the WSS) were to be formed at offices of district delegates with the task of prosecuting deeds "perpetrated to the benefit of the occupiers, or to the detriment of the State or the Polish People (treason, espionage, engaging in provocation, persecution, etc.), committed or attempted after September 1, 1939." In closed sessions, three judges were to examine such cases, then were to proceed based on indictments a court prosecutor submitted. As in underground military courts, there were only two possible outcomes of these hearings: the accused could be acquitted or sentenced to death; each verdict was to be approved by the respective delegate.[66] In problematic cases, a court would suspend the proceedings until after the war.

In Warsaw, the responsibility for organizing the civil judicial system rested on the shoulders of Józef 'Niemira' Kwasiborski, the government district delegate for the Warsaw Voivodeship and a member of the Labor Party (*Stronnictwo Pracy*, SP).[67] 'Niemira', charged with this task by Piekałkiewicz, the government delegate for Poland, contacted another SP member, Stanisław Koziołkiewicz (1899–1980), who in turn enlisted his acquaintance Eugeniusz Ernst (1896–1970). Both of them – private-practice lawyers and members of a secret bar council – assumed key positions within the newly formed institution. Koziołkiewicz (codename 'Alfa') was nominated as a court prosecutor, while Ernst ('Pawłowski') became chief judge of the Warsaw CSS ('Dworzec'). Soon, the next round of judges was appointed to the bench: Józef Łaszkiewicz (1872–1954) and Otton Wecsile (1898–1957) of the prewar Warsaw District Court, and Józef

[65] See Władysław Sieroszewski, "Z działalności Wojskowego Sądu Specjalnego Okręgu, a następnie Obszaru warszawskiego AK [On the activities of the Special Military Court of the District and then the Warsaw Area of the AK]," *Najnowsze Dzieje Polski* 8 (1964): 121–128, here p. 122. This statute was reprinted in Gondek, *W imieniu Rzeczypospolitej*…, pp. 186–188.

[66] The CSS statute is reprinted in Gondek, *W imieniu Rzeczypospolitej*…, pp. 204–206.

[67] Kwasiborski was arrested on August 31, 1948 and sentenced to life. A selection of materials was published for propaganda purposes in *Sojusznicy Gestapo. Proces Kwasiborskiego i innych* [Gestapo allies. The trial of Kwasiborski and others] (Warsaw: Książka i Wiedza, 1951).

(or Julian) Cichowski.[68] Initially, the court established its jurisdiction only over the territory of the Warsaw Voivodship, but beginning in March 1943, expanded it to include Warsaw, the capital city, as well. Because of that, it fell under the dual authority of Kwasiborski, the Warsaw Voivodship district delegate, and the city's district delegate, Marceli 'Sowa' Porowski (1894–1963).

The court proceeded according to the CSS's statute: through liaison couriers, Prosecutor Koziołkiewicz would obtain incriminating material, along with a cover letter from both district-delegate offices. Investigative units of the KWC-KWP could also collect and submit such materials. A motion to open an investigation could be put forward by political parties, various AK units, and the 'Żegota' committee. The files they submitted would include signed testimonies of witnesses and interrogation records. Koziołkiewicz prepared the indictments personally (no typist could be involved for security reasons), and sent them to the court along with the investigation files. The court's proceedings were conducted at Ernst's place at 21 Poznańska Street, Apt. 31, or in Koziołkiewicz's apartment. As the court could question neither the witnesses nor of course the accused, its ability to verify evidence was very limited. The chief judge and the prosecutor met with the delegates or their deputies several times, as well as with agents of the investigation units. When the court reached a guilty verdict, Kwasiborski and Porowski had to approve the sentence and only then would it be sent to a liquidation section to execute. Ernst and Koziołkiewicz both confirmed that they had been independent in their decision-making and had never felt pressured by anyone.[69] In the context of crimes against Jews, however, this last statement is open to debate.

The chief judge and the prosecutor proved extremely demanding and exacting, perhaps because both men were practicing lawyers. The instructions they sent to investigation units had set a high standard for materials submitted to the court. So motions could be quite brief. Neither reports on investigation activities nor the views of the investigators constituted evidence in the strict sense of the word. Summaries of witness testimonies were not sufficient. Investigators had to provide the court with transcripts of these testimonies supplemented with detailed information regarding witnesses who, if possible, should have been apprised of the part they performed. The court required a full dossier of the accused as well as particulars as to the time and place that "the charged act"

[68] AIPN, 0330/108, vol. 3, Minutes of the interrogation of Józef Kwasiborski, December 10, 1951, pp. 89–93. Judge Cichowski was killed during the Warsaw Uprising. According to Ernst, a lawyer, Borowicz served as the first chief judge of the CSS, but he died soon thereafter, and the court, which also included Cichowski and Łaszkiewicz, suspended its operations until the election of a new chief judge (ibidem, vol. 5, Zeznanie Ernsta [Testimony of Ernst], manuscript, December 14, 1951, pp. 40–43).

[69] Ibidem, vol. 5, Zeznanie Ernsta [Testimony of Ernst], manuscript, December 14, 1951, pp. 40–43; ibidem, vol. 1, Protokół przesłuchania Koziołkiewicza [Minutes of the interrogation of Koziołkiewicz], December 6, 1951, pp. 36–39.

had occurred. If the accused was charged with multiple crimes, investigators were instructed to focus on one of them. An inaccuracy in evidentiary material resulted in "a harmful delay," as such documentation had to be returned to an investigation unit.[70]

It is not insignificant that the CSS, having a limited capacity, had to select cases. The selection process was done in stages, beginning with the investigation stage, during which not only practical considerations were taken into account, undoubtedly. Prosecutor Koziołkiewicz, in turn, made a determination regarding the evidential value of files submitted, returning those that needed to be amended in some way. Koziołkiewicz also prioritized cases with regard to their importance: "if a case was of lesser weight, I postponed it," he testified after the war, without giving examples or elaborating on details of such problematic cases.[71]

The Warsaw CSS (still operating as the Secret Polish Special Court) reached its first verdict on January 12, 1943. It sentenced to death Izydor Ossowski, an employee of the Labor Office (*Arbeitsamt*, AA) in Warsaw who was charged with deliberately participating in and profiting from the deportation of the Polish population to forced labor in Germany. A month later, the court imposed the death penalty on Roman Leon Święcicki, deputy chief of 15th Polish Police Station, who had been acting "to the detriment of the Polish people." He was executed in two days. However, for reasons that are unclear – perhaps out of fear of retribution from the occupation authorities – information about Święcicki's conviction and execution did not reach the public until March 5, when it appeared on posters and later in the underground press.[72] It was no accident that the specific category of traitors was selected for the initial trials. The execution of zealots from the ranks of the Arbeitsamt and the Blue Police supplemented an awareness campaign begun in response to observations made by underground analysts during the liquidation of the ghettos. This campaign addressed the fear that Poles working for German agencies could be used to implement occupation plans as had happened with the Jewish police. *Agencja Prasowa* released an alarming editorial, that was to be reprinted by the underground press, warning that: "The Jewish

[70] Ibidem, vol. 1, Letter of 'Alfa' in the 'Start' leadership. April 28, 1944, p. 110. The letter was sent with six files that needed to be completed. Similar prompt notes were sent to all investigative cells, as well as the RPŻ. Koziołkiewicz said during the trial that he had been sending such notes "very frequently, constantly" (ibidem, vol. 1, p. 236).

[71] Later, the KWP had at its disposal a legal advisor, Ludomir 'Kryński' Sakowicz, who was charged with dividing cases into those less and more serious and, if necessary, sending files back for additional information. After the war, Sakowicz was also arrested and tried on fabricated charges. In March 1953, he was sentenced by the Military District Court in Warsaw to 15 years in prison. His own testimony did not cast much light on the role he had played in the Warsaw CSS (ibidem, vol. 2, Protokół rozprawy [Minutes of the trial], August 18, 1954, pp. 4–5).

[72] "Wyrok [Verdict]," *Biuletyn Informacyjny*, 10 (March 11, 1943); "Obwieszczenie [Announcement]," *Rzeczpospolita Polska*, 4–5 (March 11, 1943): 15.

case and the notoriety surrounding both the Blue Police, [that] was transformed almost imperceptibly into […] a compliant tool of persecution and lawlessness," and AA clerks, "should be a warning to us not to embark on a path that leads smoothly over the brink [*nie znaleźć się na równi pochyłej, która gładko wiedzie do przepaści*]."[73] Earlier, threats of severe punishment for policemen and labor-office employees had been issued by the KWC and the government delegate.[74]

These two sentences were published simultaneously, at the same time as the first proclamation (discussed above) threatening those blackmailing Jews with punishment. Why then was there a delay in taking any definitive steps? Especially taking into account that the issue was alleged from the perspective of the Delegation' office to have been of utmost importance. At least that is what Delegation office staff members and the underground judiciary claimed in their postwar testimonies. As Kwasiborski testified: "I got from him [Piekałkiewicz] a directive to set up a special civil court. He said that a representative of the Jews [Adolf] Berman had made an appeal to him to offer protection to Jews living outside the ghetto. I accepted this directive and was to obtain a statute in a few days, and I myself was to look for personnel." This "pressure" from the "Jewish Committee" was to be substantiated by many documents that resulted in Jewish cases being dealt with first.[75] One of the first cases heard by the CSS at the request of 'Żegota' concerned a Jewish collaborator; the verdict reached in February was approved by Delegate Kwasiborski.[76] Prosecutor Koziołkiewicz testified that, along with the necessity to fight treason, denunciations, and persecution of citizens of the Polish state, "there was a need to come to the defense of the Jewish population, of which very few remained anyway due to persecution by the occupiers."[77] Ernst also testified that "cases concerning persecution of the Jews were submitted first. At that time we passed a number of sentences on the uniformed police for collaboration with the Germans."[78]

[73] "Zdradliwa metoda [A treacherous method]," *Agencja Prasowa*, 42 (October 21, 1942): 1.

[74] "Oświadczenie KWC [KWC Statement]," *Agencja Prasowa*, 40 (October 7,1942): 12; "Oświadczenie Pełnomocnika Rządu z 1 X. 1942 [Statement by the Government Plenipotentiary on October 1, 1942]", *Biuletyn Informacyjny*, 40 (October 15, 1942).

[75] AIPN, 0330/108, vol. 2, Protokół rozprawy, Zeznanie Józefa Kwasiborskiego [Minutes of the trial, Testimony of Józef Kwasiborski], March 9, 1955, pp. 109–109v. Similar information is contained in Kwasiborski's prior testimonies, e.g., ibidem, vol. 1, Protokół przesłuchania Kwasiborskiego przez prokuratora Beniamina Wajsblecha [Minutes of Kwasiborski's interrogation by prosecutor Benjamin Wajsblech], March 28, 1953, p. 171v.

[76] Ibidem, vol. 3, Wyciąg z protokołu aresztowania Józefa Kwasiborskiego [Excerpt from the arrest report of Józef Kwasiborski], April 22, 1950, p. 169. No other sources confirm this information.

[77] Ibidem, vol. 1, Protokół rozprawy, Zeznanie Stanisława Koziołkiewicza [Minutes of the trial, Testimony of Stanislaw Koziołkiewicz], April 26, 1954, p. 232v.

[78] Ibidem, vol. 2, Protokół rozprawy [Minutes of the trial], March 9, 1955, p. 102. He did not provide this information in his first testimonies. Kwasiborski mentioned Berman during his earlier interrogations, as well.

Reportedly, Kwasiborski put Koziołkiewicz in touch with an RPŻ representative. The prosecutor was supposed to have obtained materials from the council from the outset of the court's operation.[79] Jewish sources, however, do not corroborate this claim. Instead, a report sent to London by the RPŻ outlined "repeated appeals for a systematic and speedy offensive against blackmailing," and claimed that the council was sending materials to the Special Court. The report described blackmailing as "the great plague, which can be called a social curse […] whose victims have been, and continue to be, large numbers of Jews."[80] It is possible that the RPŻ had been sending these materials through the Department of the Jewish Affairs at the Government Delegation office, for example. The problem is that neither Ernst nor Koziołkiewicz mentioned the head of that department, Witold Bieńkowski, during the postwar interrogations.

Underground records from the first half of 1943 contain a great deal of information about *szmalcowniks* and blackmailers. Here are some examples: the name of Piotr Pakulec, a *Volksdeutscher* tracking down and blackmailing Jews, appeared on a list of Gestapo collaborators printed in *Informacja Bieżąca* as early as late 1942.[81] One of the earliest, to my knowledge, of 'Żegota' official letters on this issue, dated mid-March 1943,[82] concerned Henryk Ryszewski. In September 1942, he took in a 10-year-old boy, the son of a lawyer who was living in the ghetto. When the lawyer escaped from the ghetto, he was informed by Ryszewski that the latter had had to pay 5,000 złotys to blackmailers who had learned about the boy. Soon after the lawyer had repaid Ryszewski, he and his family fell prey to several instances of blackmail. At some point, the perpetrators let it slip that Ryszewski had sent them. Considering the circumstances and taking into account that Ryszewski also extorted valuables and money from them, the family decided to flee. But they later appealed for "some measures to be taken against Ryszewski" and Mrs. Moyserowicz, who was in collusion with him.[83] The records of the 993/P section also contain reports on *szmalcowniks*'

[79] Ibidem, vol. 1, Protokół przesłuchania Kwasiborskiego [Minutes of the interrogation of Kwasiborski] March 28, 1953, p. 174; ibidem, Protokół rozprawy, Zeznanie Koziołkiewicza, [Minutes of the trial, Testimony of Koziołkiewicz] April 26, 1954, p. 234v.

[80] Report on activity of the RPŻ for the period from December 1942 to October 1943, in *Ten jest z ojczyzny mojej*…, pp. 254–255; in English, in *Polacy – Żydzi. Polen – Juden. Poles – Jews*…, p. 355.

[81] "Ostrzeżenie [Warning]," *Informacja Bieżąca*, 48 (December 31, 1942): 2.

[82] AIPN, 1558/45, Letter of the Council for Aid to Jews to the SOS (*Społeczna Organizacja Samoobrony* [Social Self-defence Organization]), March 12, 1943, p. 146. An instruction "for investigation," written in pencil, was then crossed out.

[83] Ryszewski, a prewar correspondent for the antisemitic daily paper *Dziennik Bydgoski*, was prosecuted and convicted on an indictment brought by Izak Koenigstein, a lawyer after the war. However, the history of his interactions with Jews was rather complicated, as he was also awarded as a Righteous Among the Nations (Barbara Engelking, "Labyrinths and Tangled Paths. The Story of a Righteous One," *Holocaust Studies and Materials* [2017]: 84–111).

activities. Among them is an order to put Tadeusz Mroczek under surveillance, a clerk suspected of having ties to the Gestapo and being "mostly involved in blackmailing Jews," Lieut. Michał Piskozub who "allegedly is engaged in searching for Jews in hiding,"[84] and Michał Wojciechowski, a Gestapo informer and a notorious "vanquisher of the Jews" from the 17th PP Station.[85]

Here are some other examples: Wiesława Gdowiak "confessed that she is a member of a blackmail ring."[86] Władysław Zdanowicz, a former firefighter, "has set up a group that extorts from jews [original spelling – D.L.], and the nouveaux riches with the aid of actual Gestapo agents. Nowadays, they attempt to blackmail military officers and freedom fighters [*działaczy niepodległościowych*]."[87] Another document lists the names of Tadeusz Jakubowski ("apprehended by the PP while looting the ghetto, he admitted he was an agent for the Gestapo and was searching for Jews"), Mieczysław Dzikiewicz ("of Jewish origin who claims to be an agent searching for Jews), Krystyna Szulman (a *Reichsdeutsche*, she denounced the Rozenbergs, a Catholic family of Jewish extraction; she was to threaten Poles as well), H. Margut who confessed to "informing on Jewish children in hiding in Warsaw."[88] Intelligence gathered by the NSZ (*Narodowe Siły Zbrojne*, National Armed Forces) also contains information on blackmailers (i.e., Henryk Stańczyk of 111 Solec Street, Apt. 7, who informed on a Jew in hiding and offered to expose weapons hidden in the Rembertów suburb).[89] It is not known whether charges were brought against any of these persons, only that none of them were liquidated.

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[84] Documents dated March 25 and June 12, 1943, in *Polacy i Żydzi pod okupacją niemiecką* …, p. 176. Piskozub led the Polish Police forces during the uprising in the Warsaw Ghetto. Adam Hempel states, without citing a source, that Piskozub allegedly was convicted by a special court by the end of 1944, but gave up his post and went into hiding (idem*, Pogrobowcy klęski. Rzecz o policji „granatowej" w Generalnym Gubernatorstwie 1939–1945* [Heathers of defeat. The matter of the Blue Police in the General Government 1939–1945] [Warsaw: PWN, 1990], p. 208). A note by an intelligence unit has been preserved, indicating that he might have been convicted by Communists (AAN, 228/7-3, Raport Brygady Korwina, Referat Komunistyczny [Report of the Korwin Brigade, Communist Section], September 8, 1943, p. 29).

[85] AAN, 203/III-112, Report 993/P, May 22, 1944, p. 43.

[86] AIPN, MBP 1572/1330, AK – kontrwywiad, Ostrzeżenie, sygnowane, signed 'Pokrzywa', [AK – counterintelligence, Warning, signed 'Nettle'], May 11, 1943, p. 72.

[87] Ibidem, Lista konfidentów i współpracowników Gestapo [List of Gestapo confidants and collaborators], April 16, 1943, p. 26. The same case is mentioned in NSZ documents; in addition, Zdanowicz's accomplice, Tadeusz Popielarski, is named there (AAN, 207/35, vol. 13, p. 33).

[88] AIPN, MBP 1572/1330, Załącznik ad Referat 54 p[unkt] IV.14 [Appendix ad Reference 54, item IV.14], no date, p. 138.

[89] AAN, 207/13, Konfidenci i agenci [Confidants and agents], January 28, 1943, p. 24. Another list from this period includes Lida Użycka, 31 Koszykowa Street, who "buys prisoners out, hides Jews, and informs on her victims" (ibidem, Dowództwo Oddziału II [Division 2 Command], p. 184).

The activities of the Blue Police and energy invested by policemen in the hunt for Jews was also no secret. It was known in underground circles that, in February 1943, the Blue Police received an order "to kill without warning all Jews encountered on the street"[90] and that the office of Commander of the Schupo (*Schutzpolizei*, German protection police) ordered the PP to search for Jews staying outside the ghetto "in every possible way." These Jews were to be arrested immediately, and their apartments should be sealed. As a reward, a bonus was promised in an amount equal to one-third of the assets secured.[91] The scope of these activities was known as well. In March alone, Polish policemen captured 73 persons outside the ghetto,[92] and during the first days of the ghetto uprising, from April 20 to 26, an additional 29 persons. This tendency did not diminished over time; as reported by underground sources, the number of Jews captured by the police in July came to 43.[93]

It seems obvious that the emphasis on the Jewish aspect of operations by Ernst, Koziołkiewicz, and Kwasiborski, so evident in their postwar testimonies and even more so due to their repeated references to Berman, resulted from the defense strategy taken up by former members of the Underground State administration being persecuted by the Communists. The fact is, however, that Piekałkiewicz had received memoranda from the RPŻ's executive committee beginning at the end of December 1942, which coincides with the formation of the civil judicial system. It is hard to say whether and to what extent his arrest had influenced the way this subject was handled. On the other hand, from mid-March to mid-August 1943, *Biuletyn Informacyjny* printed the names of only two persons executed after being sentenced by the Warsaw CSS.[94] At that time, the paper printed three sentences delivered by the Cracow CSS; it also published a number of proclamations signed by the KWP that reported on the liquidation of Gestapo informers, but it failed to mention the court verdicts.[95] This may point to the fact that that the efficacy of the Warsaw court was rather limited during the first six months of its operation. But – as I will show in detail later – the situation was much more complicated.

[90] AAN, 202/II-44, Kronika wydarzeń na terenie m.st. Warszawy 1942–1944 [Chronicle of Current Events in the City of Warsaw 1942–1944], p. 112.

[91] AAN, 202/II-37, Raporty tygodniowe Głównego Inspektoratu PKB [PKB Chief Inspectorate Weekly Reports], no. 11, April 7, 1943, p. 41–42.

[92] Ibidem, no. 15, May 3, 1943, p. 64.

[93] AAN, 202/III-122, Kronika policyjna [The Police Chronicle], April 28, 1943, p. 17.

[94] *Biuletyn Informacyjny*, 12 (March 25, 1943) (Rutkowski); *Biuletyn Informacyjny*, 17 (April 29, 1943) (Węgorzewski).

[95] For example: "In February 1943, nine agents of the Gestapo were liquidated" (*Biuletyn Informacyjny*, 12 [March 25, 1943]: 1).

Verdicts, Liquidations, and Controversies (1943)

Seeking retribution for crimes perpetrated against Jews entered a new phase in mid-July 1943 when, following the short-lived Directorate of Covert Resistance (*Kierownictwo Walki Konspiracyjnej*), the Directorate of Underground Resistance emerged: the KWP. This new structure, created to replace the KWC, was intended to coordinate the "entire struggle against the occupier during the period of conspiracy" and to lead the "grassroots resistance [*akcja oporu społeczeństwa*]." As the KWP was subordinated to the AK High Command, it was nominally led by a Home Army commander but in practice the former KWC chief, Stefan Korboński, having been appointed the "grassroots resistance's leader," held the leading position. A proclamation announcing that the KWP had been established was signed by 'Klonowski' (Jan Stanisław Jankowski) and 'Grot' (Stefan Rowecki). The same announcement warned emphatically that "just and severe punishment" would be meted out to traitors including blackmailers: "The Special Courts will particularly seek out cases of financial blackmail and extraction of money under the pretense of 'trying to free' imprisoned or interned Poles and cases of financial blackmail of Jews in hiding."[96] Understandably, the document was of great importance as, for the first time, the highest-ranking members of the Polish Secret State raised the subject of punishment for persecutors of Jews. The previous announcements were signed, as I've already mentioned, by the anonymous KWC.

This move encouraged the RPŻ presidium again to approach the Warsaw Special Court and the KWP. The presidium requested information on the number of convictions passed and executed; using the Jewish desk at the Delegation office as an intermediary, it justified this request by stating the need to "examine the current catastrophic increase in blackmail, which has become totally unrestrained, and requires governing and public bodies to take immediate and vigorous action."[97] The response came along with the admonishment that the council was not entitled to receive any reports from the special court, as they were a matter of secrecy. Nonetheless, the data the RPŻ had requested was made available to the Jewish desk at the Delegation office. As it turned out, eight cases of blackmail had been investigated and turned over to the court prosecutor. Seven of them he had submitted to the court, one he had sent back to investigators with a request for additional information. In two cases, the court had handed down a guilty verdict, and two other cases were still under judicial consideration. In the three remaining cases, the court had requested

[96] The proclamation (dated July 5, 1943) is printed in *Biuletyn Informacyjny* 27 (July 8, 1943): 2–3; *Rzeczpospolita Polska*, 11 (July 7, 1943): 1–2; in English see *Righteous Among Nations: How Poles Helped the Jews*, p. LXX.

[97] Letter of the RPŻ to Witold Bieńkowski [signed by Grobelny and Arczyński], July 12, 1943; Letter of 'Wencki' [Bieńkowski] to the RPŻ, July 17, 1943; both documents are published in *Polacy i Żydzi pod okupacją niemiecką*…, pp. 289–290.

further information. A comment added to the answer sent on behalf of the court stated that, despite explicit instructions given to investigators working for the Jewish desk, records submitted to the court "almost always comprise only indicting and descriptive materials," not evidentiary ones, whereby these cases had to be returned for further information. Regardless of requests for such materials to be forwarded, there were frequent delays, "despite the fact that judicial body [*czynniki sądowe*] treated these cases as particularly urgent."[98] One can see that an effort was made here to exonerate the court, at least in part, from responsibility for the delays that occurred, since tardiness in providing additional information to supplement motions was highlighted, and that was the task for which Bieńkowski's department was responsible. Anyway, the speed with which the data requested was made available may indicate that, by that time, a political decision had finally been reached to respond to RPŻ expectations and approach the problem of blackmailers with resolve. Even more so because somewhat earlier the CSS in Cracow took similar steps.

On July 7, 1943 – concurrent to the time during which the KWP was being formed – the CSS issued its first verdict against a blackmailer. According to the announcement of the sentence, Bogusław (Borys) Jan Pilnik, residing at 17 Pieracki Street, was sentenced to death and the loss of "civil rights and all honorary citizen's rights." His activities had been under surveillance by various underground bodies for quite some time. They discovered that Pilnik came from Wilno. From June 30, 1941 to March 6, 1942, he was held in the Mokotów prison. Later he entered into collaboration with the Gestapo.[99] According to the surveillance carried out by the NSZ, Pilnik had usually established relationships under the guise of dealing in gold and diamonds, and was held to be of Ukrainian extraction.[100] Extant records of the KG AK Kedyw – the Directorate of Sabotage and Diversion at the AK High Command – include a document entitled "'K' List [*Wykaz „K"*]," a list of informants who were to be liquidated. This document (which I will

[98] YVA, O.6/83, Pismo Referatu Żydowskiego przy Delegaturze, podpis „Ludwik" (Władysław Bartoszewski) [Letter from the Jewish Desk at the Delegation, signature 'Ludwik' (Władysław Bartoszewski)], August 9, 1943, with attachment, pp. 35–36. Excerpts cited in Prekerowa, *Konspiracyjna Rada Pomocy Żydom*…, p. 283.

[99] AAN, 202/II-37, Raporty tygodniowe Głównego Inspektoratu PKB [PKB Chief Inspectorate Weekly Reports], K.B/r.t. no. 6, December 1, 1942, p. 25; AIPN, MBP, 1572/1330, AK – kontrwywiad, Lista konfidentów i współpracowników Gestapo [AK – counterintelligence, List of Gestapo confidants and collaborators], April 16, 1943, item 350; AIPN, 1558/45, Lista konfidentów i współpracowników Gestapo [List of Gestapo confidants and collaborators], untitled, no date, p. 23v.

[100] AAN, 207/13, Dowództwo Oddziału II, K.O.I.B. [Division 2 Command, K.O.I.B.], May 21, 1943, p. 82. Stefan Chaskielewicz, in hiding on the 'Aryan' side, stated that he had been in contact with Pilnik; his family received financial support from Pilnik, who might have been liquidated for his contacts with Communists (idem, *Ukrywałem się w Warszawie. Styczeń 1943 – styczeń 1945* [Hiding in Warsaw. January 1943 – January 1945] [Cracow: Znak, 1988], pp. 46–48). His statement has not been corroborated.

discuss in more detail later) indicates, however, that instructions sent by the AK High Command counterintelligence unit pertaining to the assassination of 27 persons, among them Borys Pilnik, was dated April 30, 1943![101] Therefore, the CSS must have passed its verdict much earlier than reported in the announcement published by the underground press. The decision to postdate the verdict might have been motivated by a desire to conceal the fact that executing sentences had been delayed for many months. One may also hypothesize that Pilnik had not been tried by the CSS at all. Instead, a special military court (regional or of the Warsaw District) might have made the determination about his liquidation, and this decision might have been unrelated to any pressure from 'Żegota'. And it was only later that the case was transferred to the civil court. Such transfers of cases from military to civil courts had occurred on more than one occasion.

The sentence was executed on August 25, and that fact was made public. *Czyn*, the press organ of the Union of Polish Syndicalists (*Związek Syndykalistów Polskich*, ZSP), was the first to report it, on September 4 in the section covering ZSP assault-unit activities. The communique listed several actions that units had carried out on behalf of or in communication with the KWP, among them a liquidation executed in pursuance of the sentence passed by the CSS "for systematically informing on Poles and Jews in hiding."[102] Although the communique did not include a surname, it could only have been referring to Pilnik. This was met with a nervous reaction from the KWP, which indicates that the decision to make the verdict public had not been consulted in advance. *Czyn*'s editorial team justified its decision by invoking the agreement of cooperation reached in August between the ZSP assault units and the KWP, which regulated the mode and manner of reporting on sentences that had been carried out, among other things.[103] What does it tell us, then, about those who executed the sentence? Was the assassination carried out by ZSP members? Probably not.

According to a note jotted down on the 'K' List, Pilnik was killed by "an unidentified cell." Actually, his execution was one of the first actions performed by the nascent liquidation unit of the National Security Corps (*Państwowy Korpus Bezpieczeństwa*, PKB), codenamed 'Sztafeta' (Relay) and 'Podkowa' (Horseshoe). The unit's commander, Bolesław 'Żmudzin' Kontrym, testified after the war

[101] AIPN, 1558/95, KG AK Kedyw, Wykaz „K" (pozycja 44) [HQ AK Kedyw, 'K' List (item 44)], no date, p. 13. There are two 'K' Lists: one without names (205 entries) and one with names (221 entries, with the last of them added in pencil). The first list contains the following columns: forwarder of case, number and date of a letter, who got an order to liquidate, date, and comments. The second: personal details, date of birth, address, nationality, comments. On both lists, names of persons liquidated were marked with a cross. Both were created after February 15, 1944 (the last liquidation date).

[102] "Komunikat [Communiqué]," *Czyn*, 7 (September 4, 1942): 1.

[103] "Zawiadomienie [Notification]," *Biuletyn Informacyjny*, 37, (September 16, 1943): 1; "Zawiadomienie," *Biuletyn Informacyjny*, 39 (September 30, 1943): 1; *Czyn*, 8 (November 10, 1943): 4–5.

that the order to liquidate Pilnik had been passed to him by a delegate's office staff member, Leopold Rutkowski, nom de guerre 'Zawadzki', who headed the Department of Internal Affairs. Pilnik was the only civilian on the list 'Żmudzin' had obtained; the others were officers of the Blue Police and Kripo. Allegedly, these sentences had been transmitted first to other AK units but had not been executed, sometimes because a convict managed to escape, as Pilnik had done. The "delinquent" (as members of these units called their targets[104]) was later spotted by chance in Świder, a suburban town, where he and his wife were lodging. On 25 August, three members of a liquidation unit, 'Wojtek' (Wojciech Szczepański), 'Olek' (Piotr Olędzki), and 'Murzyn' (Jan Szczeniowski) waited for Pilnik there and shot him dead when he was getting out of his car. Afterwards, they collected Pilnik's weapon and IDs, as well as his notebook, and delivered them to the Department of Internal Affairs.[105] The documents were transferred to Witold Bieńkowski, who took it upon himself to copy and submit to the RPŻ's executive committee an excerpt from the notebook filled with dozens of names of Poles and Jews with their addresses, telephone numbers, and dates of birth.[106] Among other things, the excerpt contained a list of arrested people whose families Pilnik most likely bilked into giving him money with false promises of assistance.[107] The word żydy (yids) is written next to some names. In one instance, Pilnik also wrote down an amount of money he extorted from a resident of 11 Nabielaka Street – a Pole, Jerzy Pakulski, whose wife was Jewish, paid him 50,000 złotys.[108]

The assassination of Pilnik was the first and only execution of this type carried out by the 'Sztafeta'-'Podkowa' unit, which seems surprising given that Witold Bieńkowski, liaison between the delegate and 'Żegota', was in close contact with

[104] They also used the term "customer." See Emil Marat, Michał Wójcik, *Ptaki drapieżne. Historia Lucjana „Sępa" Wiśniewskiego likwidatora z Kontrwywiadu AK* [Birds of Prey. The story of Lucjan 'Vulture' Wiśniewski the liquidator from the Counterintelligence of the Home Army] (Cracow: Znak, 2016).

[105] AIPN, 0330/8, vol. 3, Bolesław Kontrym, zeznania własne [Bolesław Kontrym, personal testimony], November 12, 1948, pp. 244–246. In the testimony, Pilnik's name is misspelled (Sudnik/Stadnik) and his profession is misstated. Pilnik was to have obtained a license for demolition work in the ghetto. For a summary of the testimony, see Witold Pasek, *Bolesława Kontryma życie zuchwałe. Biografia żołnierza i policjanta 1898–1953* [Bolesław Kontrym's Bold Life. Biography of a soldier and policeman 1898–1953] (Warsaw: Fronda, 2006), pp. 175–177.

[106] Information about the killing of Pilnik, "the ringleader of a gang of blackmailers," and the handing over of part of the notebook was announced by Bieńkowski during a meeting of the presidium on September 4 (YVA, O.6/82, p. 16).

[107] Among them was Jerzy Klewin, arrested in August 1942; he had been held in the Pawiak prison until May 1943 when he was transported to Auschwitz (YVA, O.6/86, the first page is missing; there is the comment "Pilnik spy!" at the base of the page, no date, no pagination).

[108] There is an entry: "46–10 Wilcza [Street], Martini, old Jewish couple." The next entry: "Sobiecki Stanisław, wife Sabina, father a rabbi from Góra Kalwaria" (ibidem).

Kontrym ('Żmudzin'). Several times, Bieńskowski had pointed out targets who were liquidated at his request and with his superiors' approval.[109] Nevertheless, he never asked Kontrym for help in implementing Jewish demands. After the war, Bieńkowski stated that "having special powers," he had signed 117 death sentences – approved ex post facto by the KWP – for blackmailers from all over the country, 89 of whom were supposedly executed. These statements were mere products of his imagination and megalomania.[110]

The official KWP proclamation announcing Pilnik's liquidation was published in mid-September. The most influential and widely circulated newspaper, *Biuletyn Informacyjny*, printed it on the front page; information on subsequent judgments passed by the Warsaw CSS (against six persons) was on the inside pages. This testifies to the importance attached to this event. After all, news regarding Jews rarely made the *Biuletyn Informacyjny* front page. *Rzeczpospolita Polska* placed the proclamations inside their issue, all on the same page. Pilnik's sentence stated that the convict had been "collaborating as an informer with the German occupation authorities in Poland to the detriment of Polish society when he delivered Polish citizens of Jewish nationality hiding from the occupation authorities into German hands," and that he swindled the victims and their families out of considerable sums of money.[111] In addition, a public notice announcing the CSS verdict of guilt was posted. This was not, however, the first time the public had been informed about liquidation of a blackmailer. Two weeks earlier, the press printed the verdict passed in Cracow, on a certain Jan Grabiec who, beside causing arrests of many underground members and threatening others with denunciation to the Gestapo, had "blackmailed villagers with the threat of denunciation for hiding Jews."[112]

It was high time for the *szmalcowniks* issue to be addressed. Shortly before the Pilnik sentence was publicized, the organ of the Democratic Party pointed out that the civil resistance had long limited itself to "issuing 'hollow statements' [*papierowe oświadczenia*], 'orders' that had not been backed by any rigour of execution [*rygor wykonawczy*]." It criticized the disturbing inertia towards the

[109] AIPN, 0330/8, vol. 3, Bolesław Kontrym, zeznania własne [Bolesław Kontrym, personal testimony], no date, pp. 196–197.

[110] Archiwum Żydowskiego Instytutu Historycznego [Archive of the Jewish Historical Institute] (hereafter: AŻIH), Relacje Żydów Ocalałych z Zagłady [Accounts of Jews Survivors of the Holocaust], 301/5703, Testimony of Witold Bieńkowski, no date, p. 8. For more on Bieńkowski's lack of credibility, see Janusz Marszalec, "Morderstwo na Makowieckich i Widerszalu. Stara sprawa, nowe pytania, nowe wątpliwości [Murder on Makowiecki family and Widerszal. Old case, new questions, new doubts]," *Zagłada Żydów. Studia i Materiały* 2 (2006): 36–41.

[111] "Obwieszczenie KWP [KWP Announcement], September 7, 1943," *Biuletyn Informacyjny*, 37 (September 16, 1943): 1; *Rzeczpospolita Polska*, 16 (September 15, 1943): 4; Zimmermann, *The Polish Underground and the Jews*…, e-book edition.

[112] *Biuletyn Informacyjny*, 35 (September 2, 1943): 5.

problem of combating crimes against Jews, which – the newspaper argued – also undermined Poles. "While the plague of anti-Jewish blackmailing rages in the whole country, especially in Warsaw and the surrounding area, literally not one verdict was announced on this issue. And a pathological situation has arisen such that today every Pole who must become illegal [*musi się delegalizować*]" fears not the Gestapo but rather that "his own neighbor will denounce him as a Jew."[113]

The next report on the assassination of a Warsaw blackmailer did not come out until the beginning of December 1943. The underground press reported that Tadeusz Stefan Karcz, who had "handed over Jews [who were] Polish citizens to the Germans,"[114] had been liquidated, but the public didn't learn when this verdict had been passed. And here we encounter the same problem posed by Pilnik's case. The 'K' List includes Karcz's name among 35 others authorized for liquidation on May 21, 1943.[115] This suggests that the CSS must have passed the verdict at a much earlier time.

The order to execute the sentence on Karcz was given to the AK High Command Kedyw unit, codenamed 'Sztuka' (Art). The first attempt to liquidate him was made in May by the 993/W unit. It failed when scouts following Karcz were exposed and the unit's commander called off the operation.[116] A briefing prepared by AK High Command counterintelligence described Karcz as a man "around 30 years old, dark-haired, long-faced, broad-shouldered, tall, with a boxer-like appearance."[117] Another reconnaissance report indicated that Karcz dressed elegantly and used to wear jackets, jodhpurs breeches, and riding boots. He did not have a permanent job, living between Cracow and Warsaw, where he resided at 77 Kazimierzowska Street, Apt. 19. Usually, he tracked Jews and took them – sometimes with the help of the Blue Police – straight to Gestapo headquarters on Szuch Avenue, where he was a familiar figure. Allegedly, he didn't accept ransom from victims and usually didn't bargain. On July 24, he turned over three Poles to the 13th PP Station but they turned out to be 'Aryans'.

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[113] "Problemy oporu społecznego [Problems of Social Resistance]," *Nowy Dzień*, 25 (August 20, 1943): 5–6.

[114] "Kraj [National News]," *Biuletyn Informacyjny*, 49 (December 9, 1943): 5; *Rzeczpospolita Polska*, 20 (December 10, 1943): 3.

[115] AIPN, 1558/95, Komenda Główna, Wykaz „K", pozycja 82 [AK Headquarters, 'K' List, item 82], p. 14; ibidem, „Wykaz K" ['K' List] (with names), p. 19. Sentences were executed only in four cases.

[116] Robert Bielecki, Juliusz Kulesza, *Przeciw konfidentom i czołgom. Oddział 993/W Kontrwywiadu Komendy Głównej AK „Pięść" w konspiracji i Powstaniu Warszawskim 1944 roku* [Against confidants and tanks. 993/W 'Fist' Department of Counterintelligence of the Home Army Headquarters in the conspiracy and the Warsaw Uprising of 1944] (Warsaw: Radwan-Wano, 1996), p. 77.

[117] AIPN, 1558/95, Zestawienie dla akcji 'Top[iel'], podpis Wd-69, 4 X 1943 r. [Statement for 'Whirl[pool'] action, signature Wd-69, October 4, 1943],p. 6 (item 1).

Two days later, they were arrested again. He also apprehended a Jew who went by 'Andrzejewski' and who had no means of buying him off. Karcz and his cronies liked to frequent Café Swann at 21 Nowy Świat Street.[118] He was shot there on November 5 at 6:40 p.m., during a performance by Mieczysław Fogg. Karcz died in a hospital where the German police had transported him. The execution was carried out by Tadeusz 'Czarny' Rachański, a member of the DB-3 assault unit, part of Kedyw's Śródmieście (City center) formation.[119]

Needless to say, such a spectacular act resonated widely throughout the city. An annotation on the 'K' List, as well as other documents, confirms clearly that Karcz's assassination was a part of the 'Topiel' operation aimed at Gestapo agents and informers, authorized by Tadeusz 'Bór' Komorowski in autumn of 1943.

A few days before, the underground had liquidated another blackmailer, Bolesław Szostak, but the public didn't learn about it until the end of March 1944. Szostak, a noncommissioned officer (with the rank of platoon leader [*plutonowy*]) at the 1st PP Station, had been sentenced for "extorting ransom from Polish citizens of Jewish nationality."[120] With the sentence passed on July 27, 1943, Kedyw soldiers from the Warsaw District executed it three months later, at 7:25 in the morning, in front of the building at 30 Mickiewicz Street.[121] We do not know any details of Szostak's exploits against Jews and Poles who were sheltering them. What is known, however, is that his case, like those of several other collaborators, had been put forward to the CSS by Juliusz 'Cezary'

[118] AIPN, 380/8/3, Information Report no. 30, signed 'Ikar', July 10, 1943, pp. 38–39; ibidem, Information Report no. 32 for the period from July 2–31, 1943, p. 62.

[119] AAN, 202/II-44, Kronika wydarzeń [Chronicle of Current Events], p. 133; Wojskowe Biuro Badań Historycznych, Centralne Archiwum Wojskowe [Military Historical Research Office, Central Military Archives] (hereafter: CAW), II.44.5, Zarządzenia niemieckich władz policyjnych; wykaz zamachów na Niemców, osoby cywilne i napadów rabunkowych (Kronika policyjna) [Orders of German police authorities; list of assassinations of Germans, civilians and robbery attacks (Police Chronicle)], p. 21; AIPN, 1558/95, Wykaz „K", item 101, p. 14; a note states that an unknown cell carried out the operation. The cost of the operation amounted to 1,200 złotys (Rozliczenie Kedywu Okręgu za listopad 1943 [Accounting of the District Kedyw for November 1943], in *Kedyw Okręgu Warszawa Armii Krajowej. Dokumenty – rok 1943* [Kedyw of the Warsaw District of the Home Army. Documents – year 1943], selected and ed. Hanna Rybicka (Warsaw: Wydawnictwo IH PAN, 2006), p. 179. For details of the operation, see Władysław Bartoszewski, "Likwidacja konfidenta Karcza [Liquidation of confidant 'Karcz']," in: *Ten jest z ojczyzny mojej*…, pp. 393–395.

[120] Obwieszczenie KWP [KWP Announcement] of March 9, 1944], *Rzeczpospolita Polska*, 4 (March 26, 1944): 9; *Biuletyn Informacyjny*, 13 (March 30, 1944): 8.

[121] This information comes from the CSS sentence published in *Kedyw Okręgu Warszawa Armii Krajowej*…, p. 99. The cost of the operation was 370 zlotys (AAN, 228/3, Kronika wydarzeń na terenie m.st. Warszawy [Chronicle of Current Events in the City of Warsaw] for the period from October 26 to November 2, 1943, p. 20; here, an entry on the verdict passed a month earlier; see also Henryk Witkowski, *Kedyw Okręgu Warszawskiego Armii Krajowej w latach 1943–1944* [Kedyw of the Warsaw District of the Home Army in the years 1943–1944] (Warsaw: Instytut Wydawniczy Związków Zawodowych, 1984), p. 275.

Prachtel-Morawiański, the prosecutor for the Special Military Court for the Warsaw District.[122]

It so happened that on the day Szostak was liquidated, representatives of the 'Żegota' executive committee had a meeting with Delegate Jan Stanisław Jankowski. 'Różycki' (Tadeusz Rek), a delegate of the Peasant Party (*Stronnictwo Ludowe*, SL), complained about the "somewhat drawn out procedure of the special courts." Jankowski agreed that the requirement to provide the court with evidence was hindering the fight against blackmailing. He regarded it as a success that "one or two verdicts" had been passed, and then expressed the view that "the plague of blackmailing evidently has decreased lately."[123] But his optimism was unfounded. An underground-police blotter stated that many Jews in hiding had been exposed and killed at the end of November 1943. Among them was the art historian Alfred Lauterbach along with his wife, and Prof. Szymon Askenazy's daughter Janina.[124]

In 1943, the Warsaw Special Civil Court passed at least two more judgments in cases of blackmailers of Jews. One of the convicts was a PP corporal, surname Pietrzak (I will write about him later). The second one was 22-year-old murderer Jan Krystek. The local clandestine bulletin *Kronika Tygodniowa* denounced his act:

> In the village of Sucha (of Węgrów County), a local forester Janusz [sic] Krystek murdered, in a bestial manner, a Jew in hiding, patriot Abram Gwiazda, an uhlan of the 10th Regiment [horse cavalry]. Krystek shot and wounded Gwiazda and, as the latter attempted to defend himself in a barn, threatened to call the gendarmes. Not wanting to put the local residents at risk of retaliation, Gwiazda handed over his weapon and allowed himself to be loaded onto a cart, shouting his farewell to the farmers: "Long live Poland!" Krystek took the injured man to the forest and finished him off there. For his crime, he was praised by the Germans and was given a shotgun and a revolver.[125]

Krystek's assassination took place early in 1944, and news of it was disseminated at the beginning of March, stating as its reason "the murder of two Polish citizens of Jewish nationality."[126] The identity of his second victim

[122] "These are the cases I have waived to the civ[ilian] Court," as he reported in a letter to the Command of the Warsaw Region (see *Kedyw Okręgu Warszawa Armii Krajowej*…, pp. 99–100).

[123] Ghetto Fighters' House Archive (hereafter: GFH), 5987, Protokół audiencji przedstawicieli Rady Pomocy przy DR u pana Pełnomocnika Rządu, 28 X 1943 r. [Minutes of audience of representatives of the Relief Council of the DR with Mr. Government Plenipotentiary, October 28, 1943].

[124] AAN, 202/II-44, Kronika wydarzeń [Chronicle of Current Events], p. 167. Janina Askenazy was reportedly denounced by her father's former student (*Ten jest z ojczyzny mojej*…, p. 820).

[125] "Zbrodniarz [The Criminal]," *Kronika Tygodniowa*, 16 (April 21, 1943): 3–4.

[126] *Biuletyn Informacyjny*, 10 (March 9, 1944); *Rzeczpospolita Polska*, 4 (March 26, 1944): 9; the date when the communique was issued (Febuary 20, 1944) and that the sentence was carried out are announced here.

remains unknown, and the date of Krystek's sentence is uncertain as well. A piece published in *Rzeczpospolita Polska* names two convicted men, Krystek and Jan Malinowski, as well as two dates on which they were sentenced: June 18 and November 30, 1943. If the presumption that the first date relates to the first criminal (i.e., Krystek) is correct, we are dealing here with another instance of a verdict for persecuting Jews that was passed earlier than we had thought!

Another noteworthy judgment by the Warsaw CSS was passed in autumn of 1943 on Tadeusz Parys, a blue policeman from Mińsk Mazowiecki. He was sentenced to death for arresting a Polish woman "on the suspicion that she was of Jewish origin, abusing her, and then killing her." Parys's partner in this crime, Stanisław Walesiak, a resident of the village of Olesin in the rural municipality (*gmina*) of Dębe Wielkie, was also sentenced to death. The underground liquidated them both.[127]

One of Józef Kwasiborski's postwar testimonies contains the information that the CSS considered three cases from the Warsaw District, two of which related to blue policemen "assisting particularly effectively in liquidations of the ghettos in Węgrów and Garwolin."[128] This information remains unconfirmed.

Controversies over Sentences and Executions (1944)

On March 30, 1944, *Biuletyn Informacyjny* published an announcement issued by the KWP about the execution of the sentences passed by the CSS. Three men, Jan Żmirkowski, Bolesław Szostak (mentioned above), and Jan Łakiński, residing on Pług Street in Warsaw, had been sentenced and liquidated for "collaboration with the occupiers in persecuting and tracking down Polish citizens of Jewish origin." A piece that ran in *Rzeczpospolita Polska* included both the date on which the KWP announcement was issued (March 18, 1944) and Łakiński's age at the time (18). None of the bulletins disclosed when the sentence had been passed and when it had been executed.[129] I have found only one written record concerning Łakiński: an NSZ intelligence report that stated that he had come from Poznań, and that he and his sister Janina were in Gestapo service.[130] Łakiński did indeed come from the Wielkopolska region; his father, Tadeusz Łakiński, was a senator of the 4th Senate of the Second Polish Republic. Strangely enough, his name does not appear on any list of agents and informers that various AK investigation

[127] "Obwieszczenie KWP z 20 IX 1943 [KWP Announcement of September 20, 1943]," *Rzeczpospolita Polska*, 18 (November 1, 1943): 4.

[128] AIPN, 0330/108, vol. 1, Protokół rozprawy, Zeznanie Józefa Kwasiborskiego [Minutes of the trial, Testimony of Józef Kwasiborski], June 5, 1954, p. 272.

[129] "Obwieszczenie KWP [KWP Announcement]," *Biuletyn Informacyjny*, 13 (March 30, 1944): 8; *Rzeczpospolita Polska*, 5 (April 28, 1944): 6; Szostak's name is not mentioned here.

[130] AAN, 207/4, Dowództwo Oddziału II, Biuletyn Służby Ochronnej [Division 2 Command, Protective Service Bulletin] no. 3, Warsaw, November 29, 1943, p. 59. Incorrect information states that he lived at 137/35 Długa Street.

units compiled. This matter is hardly trivial, as he is suspected of denouncing the *Krysia* bunker at 81 Grójecka Street in which Emanuel Ringelblum was hiding. The fact that Łakiński lived in the borough of Ochota lends some credence to that hypothesis. On the other hand, the court verdict does not mention it. In addition, Łakiński's liquidation was first announced on March 18. Had he in fact been instrumental in exposing the bunker raided on March 7, it would have been necessary to address this matter almost immediately. The informer's trial, conviction, and liquidation would had to have happened within a few days. Knowing the mode of operation the Warsaw CSS employed routinely, this seems highly unlikely, unless the court adopted a special procedure and Łakiński was liquidated because of the threat he posed. What settles the matter, and inevitably eliminates him from the list of suspects, is an entry in the death register of St. Jakub's parish. It confirms that Łakiński died on 25 February.[131] He was shot by soldiers of a KWP unit codenamed 'Roman', led by Stanisław 'Rugia' Sękowski. The latter's postwar testimony indicates that an order to liquidate Łakiński came towards the end of February. It was issued by Włodzimierz Lechowicz from the Warsaw branch of the National Security Corps, then head of the Investigation Bureau there while at the same time leading the KWP's personal-assault division (*wydział dywersji osobowej*). Having conducted reconnaissance, the execution squad took up position near the gate to the apartment building at 1/3 Pług Street; the soldiers waited for Łakiński to leave his flat and then shot him dead. Sękowski did not know the reason Łakiński had been sentenced to death, but heard rumors that he had exposed the Officer Cadets School's clandestine course. He later read in *Biuletyn Informacyjny* that it had in fact been for informing on Jews.[132] Surprisingly, no police blotter carried news of Łakiński's death.

[131] The document was published by Łakiński's schoolmate, Marian Hanasz (idem, "Sprawa Łakińskiego [Łakiński's case]," in *Goldmanka. W kręgu szkoły* [Goldmanka. In the circle of the school] (Warsaw: Sekcja Goldmaniaków przy Stowarzyszeniu Wychowanków Gimnazjum i Liceum im. Stefana Batorego, 2005), pp. 82–94, esp. p. 86). Teresa Prekerowa references the same date but draws no conclusion from it (eadem, *Konspiracyjna Rada Pomocy Żydom*…, p. 286).

[132] AIPN, GK, 317/701, Protokół przesłuchania Stanisława Sękowskiego [Minutes of the interrogation of Stanisław Sękowski], November 29, 1950, pp. 266v–267. The main subject of investigators from the Ministry of Public Security was Lechowicz, a Communist agent who had been placed inside the Underground State's structures, and they were focused on coercing the accused into statements that would compromise him. Nevertheless, this very section from Sękowski's evidence reflects the facts, in my view. During that same interrogation, Sękowski also testified – this time untruthfully – that Lechowicz had ordered him to "frighten" Jews hiding in a certain apartment in the Praga borough. As a result of torture, Sękowski suffered a deep mental breakdown and was placed in a mental hospital. He was not tried along with other Warsaw KWP staff members. I discuss other aspects of his occupational biography in a forthcoming book.

Who then exposed the *Krysia* bunker,[133] and whom had Łakiński denounced? The information that the hideout was found as a result of a denunciation comes from a reliable source, as policemen from the 23rd PP Station (located at 26 Grójecka Street) were present during the raid on the bunker.[134] A report prepared by an informant of one of underground intelligence squads suggests a blue policeman made the denunciation after he had noticed large quantities of food being purchased.[135] The piece published in *Biuletyn Informacyjny* does not say anything about the circumstances in which the bunker had been discovered.[136] Extant RPŻ material yields no relevant clues, nor do any documents signed by Henryk Woliński ('Wacław'). The only note by Woliński known to me that refers to the subject of the bunker on Grójecka Street in which, as he put it, "people of great civic, social, and scientific virtues" were hiding, mentions the mounting wave of blackmails and denunciations In the view of 'Wacław', some denunciations may have been made on "ideological" grounds, "undoubtedly […] by people coming from the prewar ONR [*Obóz Radykalno-Narodowy*, National Radical Camp]."[137] It is also significant that no letter from 'Wacław' to Adolf Berman mentioned the informer's liquidation,[138] for if it had been Łakiński, he would have had to have been briefed on it. However, it should be emphasized that no investigation of this case was conducted, or at least there is no trace of it in any documents.

Jan Grabowski's inquiry, in turn, reveals that a special Kripo section was involved in exposing the bunker on Grójecka Street – the so-called *Kriegsfahndungkommando* (Commando for Wartime Searches)[139] that was created at the

[133] Some accounts indicate that a disgruntled girlfriend of Mieczysław Wolski, a Pole who had been hiding those Jews, exposed the bunker after he left her (Samuel D. Kassow, *Who Will Write Our History? Emanuel Ringelblum, the Warsaw Ghetto, and the Oyneg Shabes Archive* [Bloomington: Indiana University Press, 2007], p. 383).

[134] AAN, 202/II-44, Kronika wydarzeń [Chronicle of Current Cevents], entry dated March 7, 1944, p. 284. The chronicle preserved in the CAW contains only an entry referring to finding 37 Jews at Wolski's residence (CAW, II.44.5, Kronika policyjna [The Police Chronicle], p. 103).

[135] AIPN, 1558/60, c[iąg] d[alszy] raportu policyjnego, sygnowane „Kruk" [continuation of police report, signed 'Raven'], dated June 7, 1944, p. 323. The report also says that the owner of the bunker was paid a large amount of money for his aid (5 kg of gold and 100,000 złotys per month) and attempts were made to buy him out of prison.

[136] "Warszawa. Różne," *Biuletyn Informacyjny*, 12 (March 23, 1944).

[137] GFH, 5966, Henryk Woliński's documents, "Żydzi. Materiały do Informacji Bieżącej [Jews. Materials for Current Information]," March 21, 1944 (manuscript).

[138] Letter of Woliński to Berman, April 15, 1944. In a subsequent letter of May 5, in the context of Ringelblum's fate, he reported receiving "unfavorable" news. All excerpts from this correspondence are cited after Dariusz Libionka, "Wokół korespondencji Adolfa Bermana z Henrykiem Wolińskim [Around Adolf Berman's Correspondence with Henryk Wolinski]," *Zagłada Żydów. Studia i Materiały* 4 (2008): 363–386.

[139] Jan Grabowski, "Hunting down Emanuel Ringelblum. The Participation of the Polish *Kriminalpolizei* in the 'Final Solution of the Jewish Question'," *Holocaust Studies and Materials* (2017): 11–41. It was led by a German, Balhause (Balhause, Ballhause). Employed there

end of 1943 for the purpose of tracking down Jews in hiding, making arrests that were a result of denunciations and of reports generated from a network of about 10 collaborators. It is doubtful that Łakiński was one of them.[140] According to his schoolmates, however, he collaborated with the Schupo, the headquarters of which was located in Narutowicz Square, in a former student-residence hall (*Dom Akademicki*, Academic House); he might even work there.[141] In Polish underground reports, I have come across accounts of investigations into activities of several members of the Commando for Wartime Searches. Some of these agents had even been liquidated – a topic I will return to later.

As I have already mentioned, Łakiński's name surfaced after the war, during the investigation conducted by the Communist security apparatus against Warsaw KWP staff. Kazimierz Moczarski was charged then with the murder of "a member of the ZWM [*Związek Walki Młodyc*h, Union of Youth Struggle] of unknown name, residing on Filtrowa Street." Years later, in December 1956 during Moczarski's rehabilitation trial, he testified that he had recognized Łakiński, "a well-known Jew hunter," in one of the photographs shown to him by his interrogators; fearing manipulation, and afraid for his life, he had not disclosed this fact.[142] During the earlier trial in 1952, he explained though that "the alleged ZWM member" was, in fact, Jan Łakiński, a resident of the Ochota borough, "a son of a senator and Gestapo agent, who informed on AK men." As to the details of Łakiński's activities, Moczarski probably did not know of or did not remember any. In 1944, he'd led the investigation unit of the KWP's Warsaw branch, codenamed 'Magiel' (Mangle), but did not carry out any investigations against the informer. At least Łakiński's name is not on the list of individuals 'Magiel' had been interested in that was presented during the trial.[143] Adam

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were Zygmunt Głowacki, Jan Putrycz (or perhaps Pupysz), Władysław Nowiński, Władysław Olszewski, Wawrzyniec Sybilski, Jerzy Gzel, Paluchowski, and Leszek Tuszpiński (Tuszyński), an investigator (*wywiadowca*) (ibidem, p. 22).

[140] Jan Grabowski wrote that one of the witnesses testifying at the trial of Zygmunt Głowacki stated that Łakiński was a collaborator for special affairs in that commando (idem, "Hunting down Emanuel Ringelblum…," p. 22–23). In fact, however, it was about Kazimierz Lubarski, and the erroneous identification resulted from illegible handwriting (AIPN, GK, 317/247, Minutes of the trial in the Court of Appeal in Warsaw in the case of Zygmunt Głowacki and Władysław Nowiński, July 14, 1950, p. 91). Another story is that blue policemen did not reveal the names of their informants during interrogations.

[141] Hanasz, "Sprawa Łakińskiego…," pp. 84–85.

[142] Moczarski talked about this during the rehabilitation trial in the Provincial Court (*sąd wojewódzki*) in Warsaw – motion to reverse the verdict (AIPN, GK, 317/700, Minutes of the trial, December 5, 1956, p. 183v; summary in Steinsberg, *Widziane z ławy obrończej*…, p. 58). Aniela Steinsberg states – contrary to what is said in the minutes – that Moczarski described Łakiński as the one who "handed a few colleagues over and took a part in exposing the bunker."

[143] AIPN, GK, 317/700, Minutes of the hearing before the Provincial Court [*sąd wojewódzki*] of the capital city of Warsaw, December 5, 1956, pp. 173–176. Moczarski did not mention Łakiński in the note he sent to ŻIH in the early 1960s, nor did he put Łakiński's name on

Dobrowolski, former deputy head of the Warsaw KWP branch, remembered only that Łakiński had been a kind of Gestapo agent, and may have been associated with 'Miecz i Pług' ('Sword and Plough'), an organization hovering on the verge of collaboration.[144] Unfortunately, the court had no interest in bringing to light either Łakiński's role or the defendants' efforts in aiding persecuted Jews. Because of the lack of documents and reliable accounts, one can only hazard a guess as to what Łakiński had done and why he was sentenced to death. The only certain thing is that he had nothing to do with the exposure of the bunker at 81 Grójecka Street[145].

With the onset of July, the public learned about the next sentence passed on a Warsaw blackmailer. Antoni Pietrzak, a 40-year-old Blue Police corporal, was sentenced to death and the loss of civil rights for, as *Biuletyn Informacyjny* reported, "collaboration with the occupiers in the persecution of the Jewish population." Apparently, the bulletin did not give much weight to this information – it was printed at the very bottom of its last page.[146] Pietrzak had been shot near his apartment at 12 Wiatraczna Street on June 4, and died after being transported to Przemienienie Pańskie Hospital.[147] This operation, too, was conducted by the commander of the KWP execution squad, Stanisław 'Rugia' Sękowski.[148] Pietrzak, assigned to the 13th Station of the Polish Police, was well known for being overly zealous. According to a report prepared by the 993/P section in mid-May 1943, Pietrzak and his colleague Bronisław Cebul brought to the station two Jews who lived at 4A Żurawia Street with 'Aryan' papers (under the assumed names Jan Jerzy Gajewski and Irena Natalia Jaworska). The report states that the victims were in possession of jewelry worth 800,000 złotys; the blue policemen, expecting to be awarded one quarter of that amount, transferred the victims to Gestapo headquarters on Szuch Avenue. This was not an isolated act. The Pietrzak–Cebul pair was always on the lookout for Jews hiding in their precinct, quick to see "the opportunity for blackmail or an obtaining a reward from the Germans."[149]

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the list he gave to his lawyers (AŻIH, 301/5830, Note to ŻIH regarding combating Jew hunters during the occupation, September 19, 1961; published in *Polacy i Żydzi pod okupacją niemiecką*…, pp. 534–535). Łakiński's name is also not on a list found during the search of Aniela Steinsberg's apartment (AIPN, 01208/1003/Jacket, Memo, put together and prepared by Lt. Col. Józef Krysta, December 29, 1971, pp. 197–199).

[144] AIPN, GK, 317/700, Protokół rozprawy [Minutes of the trial], December 6, 1956, p. 198.

[145] See Adrian Sandak, "Denunciation of the *Krysia* Bunker No Longer a Mystery," *Holocaust Studies and Materials* (2025), https://www.zagladazydow.pl/index.php/zz/article/view/1053/1082.

[146] "Warszawa," *Biuletyn Informacyjny*, 27 (July 6, 1944): 8; "Obwieszczenie KWP [KWP Announcement]," *Rzeczpospolita Polska*, 11 (July 18, 1944): 16.

[147] AAN, 203/III-112, Report 993/P, no. 120, June 5, 1944, p. 87; CAW, II.44.5, Kronika policyjna [The Police Chronicle], p. 149.

[148] AIPN, GK 317/701, Protokół przesłuchania Stanisława Sękowskiego [Minutes of the interrogation of Stanislaw Sękowski], November 30, 1950, p. 264v.

[149] CAW, September 3, Report no. 105, signed by P24/I, May 24, 1943, p. 15.

On 12 August, on Trzech Krzyży Square, Pietrzak went in pursuit of Kazimierz Kowalczyk, who had just shot a blue policeman on a tram. As a consequence of Pietrzak's action, this man was fatally wounded.[150]

Pietrzak's case also became a point of controversy among historians because, yet again, the clandestine press had not disclosed the date of his conviction. This fact is far from insignificant. The 'K' List shows that an order to liquidate Pietrzak – and his partner Cebul as well – was issued as early as September 25, with this task assigned to the squad codenamed 'Czyn' (Deed).[151] The decision had been made even earlier, as the report on the arrests of Gajewski and Jaworska bears a handwritten note initialed by the head of the AK High Command counterintelligence(!): "Pietrzak and Cebul – for liquidation." This probably means that incriminating materials were ultimately transferred to the CSS.

But execution of the order had lagged for many months, as in other cases. Cebul was the first to die: he was shot at the intersection of Nowogrodzka and Krucza Streets in mid-April 1944.[152] One can assume that, since Pietrzak's fate was decided by the special civil court, the same most likely happened to his associate. Although the underground press did not publish Cebul's sentencing, that lack of confirmation is of secondary importance.

We know that the CSS passed one more verdict. A letter has been preserved, written by Prosecutor Koziołkiewicz, with the order to liquidate three men investigated by the National Security Corps unit codenamed 'Start', among them Cpl. Piotr Durant, a policeman at the 26th Station of the PP. Durant was convicted on June 7, 1944 for "persecuting Polish citizens by apprehending Z. J. on the street on the pretext of being of Jewish origin, and extorting from him and his wife 75,000 złotys, and handing him over to the German police who shot Z. J. dead."[153] It seems, however, that there was not enough time to execute this order or at least no written source confirms that fact.

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[150] AAN, 203/III–111, Report no. 81, April 15, 1944, p. 38; ibidem, 203/III-116, Dyrektywa [Directive] no. 143-P/16 with a request to investigate both of the blue policemen, May 26, 1943, p. 36; AIPN, 380/8/3, Raport informacyjny [Information Report] no. 38 for the period from September 4 to 22. 1943, pp. 127–128.

[151] AIPN, 1558/95, Komenda Główna, Wykaz „K", Pietrzak [Central Command, 'K' List, Pietrzak], entry 142; Cebul, entry 141; pp. 15, 21. At the time of this writing, the judgments had not been yet enforced.

[152] CAW, II.44.5, Kronika policyjna [The Police Chronicle], entry of April 13, 1944, no pagination; ibidem, entry of April 16, 1944, no pagination.

[153] AIPN, 0330/108, vol. 1, Letter from 'Alfa'/'Dworzec' to 'Start', June 13, 1944, p. 286. His name is on the list of sentences ordered to be enforced by Warsaw Kedyw units, but without annotations of execution (*Kedyw Okręgu Warszawa Armi Krajowej*…, p. 131). His fate is unknown. Durant is not listed in the IPN catalog.

Szmalcowniks in Underground Organizations' Records

In the first half of 1944, accounts of extortion perpetrated on Jews very rarely made their way into the AK press. The same can be said of warnings directed at perpetrators. One of these few appeared after several Jews were discovered hiding in Wawer (a Warsaw suburb): "We are recording German crimes; we are also recording the names of those who still aid the Germans in their bloody excesses. As with all these crimes, they must be subjected to due punishment."[154]

Yet blackmail activities are documented in preserved dispatches and reports compiled by staff members of the 993/P section,[155] 'Start',[156] and other resistance units, as well as in reports of 'Żegota' and the Jewish National Committee (*Żydowski Komitet Narodowy*, ŻKN). In the view of 'Wacław', despite the rising wave of blackmailing and denunciations, victims often managed to secure release from the hands of the police without buying their way out. Also, summary executions were carried out less frequently, as those suspected of being of Jewish descent were taken to jail instead, which increased their odds of being released.[157] Nonetheless, the first quarter of 1944 proved particularly difficult for the Jewish underground. Adolf Berman had to suspend his activities for several months due to the threat posed by Kripo blackmailers. Yitzhak 'Antek' Zuckerman, leader of the Jewish Fighting Organization (*Żydowska Organizacja Bojowa*, ŻOB), was also in danger. Fortunately Szoszana Kossower, one of the ŻKN courier liaisons, had sufficient means to buy herself out.[158] Julian Grobelny, the RPŻ chairman, was arrested on March 1. The denunciation that led to his arrest accused him of aiding Jews; luckily, his captors didn't identify his actual role.[159] The exposure of Ringelblum's shelter, which I have already discussed at length. took place on March 8; six days earlier, the Kripo apprehended another

[154] "Z Frontu Walki Podziemnej. Bestialstwa zbirów niemieckich [From the Front of the Underground Struggle. Bestialities of German Thugs]," *Biuletyn Informacyjny ed. P*, 15 (April 15, 1944).

[155] For example, the description of activities of Adam Karolak who who was engaged, i.a. in searching for Jews and renting out the apartments where they had been staying so far, through the lodging office (AAN, 203/III-111, Report No. 94, May 8, 1944, pp. 97–98); information on exploits of Franciszek Suski, who lived at 4 Chłodna Street, pressuring he caretaker to search apartments in order to detect Jews (ibidem, 203/III-112, Report no. 103, May 18, 1944, pp. 8–9); information on denouncers Janina Głoss and Anna Golińska, who played a part in the exposure of the Jews at 9/12 Zgoda Street (ibidem, 203/III-113, Report no. 139, June 28, 1944, pp. 82–83).

[156] AAN, 202/II-40, A note about a prostitute engaged i.a. in blackmailing Jews, no date, p. 7.

[157] GFH, 5966, Henryk Woliński's documents, "Żydzi. Materiały do Informacji Bieżącej [Jews. Materials for Current Information]," February 22, 1944.

[158] 10,000 złotys, to be exact (GFH, 5750, Letter of Emilia to Adolf Berman, no date.).

[159] Prekerowa, *Konspiracyjna Rada Pomocy Żydom*…, pp. 267–268.

'Żegota' member: Jan Jaworski.[160] All of these events greatly interfered with ŻOB, ŻKN, and 'Żegota' operations, and resulted in the impediment of aid distribution to the needy.

One of the intelligence dispatches states that Jaworski, mentioned above, was arrested under the suspicion of being of Jewish origin.[161] That same source outlines numerous cases of extortion.[162] In mid-January 1944, the caretaker of the building at 13 Krochmalna Street turned over to the Germans a 10-year-old Jewish girl, Danuta Kalmus. A few days later, the Kripo (policeman Majer) discovered a safe house at 1 Mokotowska Street, where the PPR (*Polska Partia Robotnicza*, Polish Workers' Party) maintained a weapons depot and harbored several Jews. On February 1, the owner of an apartment at 39/53 Hoża Street denounced a Jewish family with a child who had been hiding with him. PP Sergeant Kobieżycki (original spelling) handed over several Jewish families to the Gestapo. Stanisława Grabowska was arrested in the borough of Żoliborz for belonging to the AK and being of Jewish origin.[163] There was also an attempt to blackmail the family of Ludwik Grosfeld, a minister of the Polish government in London, who the underground had been looking after. Grosfeld's wife and daughter moved from Lviv to Warsaw in summer of 1942. Since that time, they had lived at 45A Pius Street, Apt. 13. When two Kripo men, Jan Matlakowski and Wawrzyniec Sybilski, came to their apartment, Mrs. Grosfeld and her daughter managed to slip out, but the Kripo arrested their guests, Mr. Hejkin, a lawyer, and his wife, who were living under false names. The AK launched investigations of all those suspected of participating in this incident.[164] Four days before discovery of the bunker on Grójecka Street, the police captured 30 Jews hidden in a tenement building at 9 Koźla Street; on March 22, it found another Jewish hideout at 12 Orla Street; on April 7, it apprehended about 40 Jews during a roundup in the Żoliborz borough.[165]

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[160] "A member of the committee [providing care] for Jews, Jaworski Jan was arrested by the Kripo as he was leaving the candy store (Ciecierzyński's store) on Mokotowska Street, where he had delivered the ransom for releasing the arrested Jews. A notebook with a few names and a false ID in the name of Zygadlewicz were found on Jaworski" (AAN, 202/II-44, Chronicle of current events, p. 278).

[161] AAN, 228/5-2, Dispatch signed gg, February 23, 1944, p. 58.

[162] The first report with which I am familiar comes from early August 1943: "The following people blackmailed [those] hiding Jews," that is, Antoni Turek, Jan Jankowski, and Tadeusz Michałowicz. An address was provided next to each name (AIPN, 1558/45, Dispatch of gg, August 2, 1943, p. 161). They handed over two Jews in hiding (AIPN, 1572/1330, [Warning], signed by Wysocki, September 7, 1943, p. 99).

[163] AAN, 228/5-2, Dispatches of gg from January 19, 28 Febrary 21, 23, 28, 1944, pp. 25, 36, 57, 58, 65.

[164] Ibidem, Dispatch of gg from February 25, 1944, p. 58.

[165] All incidents were recorded in the Chronicle of Current Events. The report by 'Wacław' submitted mentions a higher number of Jews: 75 men and 30 women (GFH, 5966, Henryk Woliński's documents, "Żydzi. Materiały do Informacji Bieżącej," April 27, 1944).

AK records frequently contain names of Kripo men and blue policemen blackmailing Jews: Michał Olczyk, chief of the 2nd Kripo Station, who "participated in blackmailing Jews armed with a gun," Sergeant Nowiński (of the Commando for Wartime Searches), Cpl. Stefan Jazmiel of the Polish Police.[166] Some reports described their activities in meticulous detail: "Ela Popielewska, age 31, wife of a Crim. Pol. [Kripo] lieutenant, has specialized in stalking jews [original spelling – D.L.] and persons in hiding. She acts in collusion with Cajzner, an interpreter for the Chief of the 1st Pol. Crim. Station [Kaiser], as well as Alfred Korzeń, a corporal of the 3rd St[ation] of Crim[inal] Pol[ice] The exposure of the Jews at 6 Sierpień Street was her doing, as well as the raid on 28 Jerozolimskie Avenue, Apt. 10." Zdzisław Cajzner, mentioned above, a resident of the Milanówek suburb, "has specialized in searching for jews. Method of operation: house search, robbery of valuables, death threat, putting in jail, then – in collusion with Kaiser – he agrees on and collects a ransom for saving [an arrestee], after which he takes out of the city and kills his victims. He dealt this way with Harnisz and Frysz, who he murdered in Bródno. Recently he presented Kaiser with a fur worth over 50,000 złotys."[167]

'Żegota' alone compiled several lists of *szmalcowniks*. The first one enumerates eight names: Stefania Rosner; Winuk, a blue policeman in Radość; the sisters Winnicka and Wróbel living in Warsaw on Kossak Street; Niegrzybowski, a butcher on Kossak Street; Jaskółka, a member of a family of blackmailers; Marcinkiewicz, a blue ooliceman in Płudy; Przybyłowski, a Kripo member and professional blackmailer from Warsaw; and one name that is illegible. This list lacks details on actions of the perpetrators required for opening an investigation. The second list contains names of three blackmailers, with descriptions of their activities: Tadeusz Harich, an agent for the Gestapo denouncing Jews as well as Poles (his last exploit was exposing five Jewish people hiding at 25 Krochmalna Street); Wacław Sawicki, another agent for the Gestapo "ratting out" many members of the Polish underground, who would arrange false papers for Jews only to blackmail them and later hand them over to the Gestapo; Stefania Rosner, also on the previous list, an employee at the Leszno Street gendarmerie station, having a dozen or so blackmails under her belt – the list provides names of her victims and circumstances of those grim events. The third document identifies seven blackmailers and provides descriptions of their activities: Kazik Grochowski (with a dozen or more names and pseudonyms of his victims); his fiancée, Marysia Tarbit; Maria Siniarska, a frequent informer; Kripo chauffeur Władysław Kocoń (who denounced a Jewish woman); Halina Kosmólska (who

[166] I quote Żbikowski, "Antysemityzm, szmalcownictwo, współpraca z Niemcami…," pp. 464–465. Meldunek na temat Olczyka [Report on Olczyk], CAW, IX.3.22.9, Branch 2, WIR-C [ref. information at DR Security Department], June 14, 1944, p. 246.

[167] AIPN, 1558/45, Doniesienia [News], p. 223. Kaiser, Olczyk, and Ogrodowczyk killed two Jews in the Bródno district in autumn of 1943. They were unlucky enough to have been fired on by Wehrmacht soldiers. Skibiński, a Kripo driver, died (AAN, 202/II-44, Kronika wydarzeń [Chronicle of Current Events], entry dated November 9, 1943, p. 140).

would lure in Jews, promise them shelter, then turn them in); Józef Woźniak and his father (exposed two apartments, on Pańska and Komitetowa Streets). There is also a note signed by Szymon Gotesman about a Jewish boy taken by Wawrzyniec Karpiński to a police station; it contains the name and details of the witness to this tragedy.[168]

Among those listed, Grochowski had posed a particular threat to 'Antek' Zuckerman and his fighters.[169] 'Żegota' had sent additional reports to the AK, but we do not know to whom exactly they were delivered. The notes pertaining to Harich, Sawicki, and Rosner are not included in the records of the 993/P section but in the documentation of the anti-Communist 'Korweta' section in the KG AK's Second Department and, furthermore, no annotation indicates what if any actions were taken.[170] Anyway, none of the three were liquidated, nor indeed were most blackmailers identified on the lists I have quoted. (At least their names do not appear in any KWP announcements.) Maybe there wasn't enough time or other reasons stood in the way. The underground dealt with two cases – of Grochowski and Sybilski – and I recapitulate them later.

As some documents prove, cases were sometimes dismissed in the investigative phase. In this respect, the case of Cpl. Mikołaj Polewka of the 16th Station of the Polish Police seems particularly revealing. Polewka was a professional blackmailer who, because of a lack of targets, shifted from Jews to Poles, from whom he extorted money under any pretext. A report from a detailed investigation shows, however, that in September 1943, Polewka blackmailed Halina L. by demanding 30,000 złotys and threatening her with arrest for being of Jewish origin. She was hiding from the labor office and had copies of underground bulletins at home, so agreed to pay 10,000, partly in valuables. Halina L. moved out after she paid that first installment, so he began to blackmail her acquaintance, who in turn notified her contacts in the 16th Station about the matter. Polewka got "a kick in the face" and gave up. Polewka had an accomplice, "Miss Irena," who was living nearby and her parents – according to their neighbors – were hunting Jews. What's more, one of the neighbors testified that Polewka, in cahoots with two gendarmes, "swindled one Jew out of thousands." Even so, the case was not passed any further up the chain, for the report had been regarded as "not serious." For more reasons than just a lack of names and addresses of victims and witnesses – after all, a non-Jewish person could have reported the case to the Kripo. Even more shocking is the conclusion of this decision: "We all know that, during war, people do everything to survive it. It is hard to live off one income and provide for a whole family, and, for that

[168] GFH, 6051, List of sz[*malcowniks*]; List no. 2, sz[*malcowniks*]; Note (untitled), annotation [Antek Cukierman (Zuckerman)], March 1944; ibidem, Note by Bogucki [Szymon Gotesman], March 27, 1944.

[169] AAN, 202/XV-2, Letter of 'Górnicki' [Woliński] to 'Kuncewicz' [Makowiecki], March 24, 1944, p. 147.

[170] AAN, 203/III-137, Note (untitled), May 3, 1944, p. 53.

reason, bribery flourishes in every institution. The same is true of the police. It [police] is not alone in [doing so]."[171]

WSS Verdicts for the Warsaw District and the Warsaw Region

Denouncers and blackmailers fell also under the jurisdiction of the Special Military Court for the Warsaw District (presided over by Witold 'Dominik' Majewski from autumn of 1943) and the Special Military Court for the Warsaw Region (Władysław Sieroszewski, president judge). Among them was Kazimierz Grochowski, who has been mentioned above. His activities caught the interest of 993/P section members for the first time in mid-September 1943.[172] We do not know the nature of the charges against him, but they must have been serious as on November 27 he was sentenced to death. By order of the commander of the AK's Warsaw District, Antoni 'Nurt' Chruściel, the district Kedyw should have executed the sentence immediately but for unknown reasons this did not happen.[173] In early May 1944, Woliński tried to reassure Berman that "Kazik G." had been pinpointed for liquidation.[174] Grochowski's name surfaced again in 993/P section records at the end of June – perhaps for the last time.[175] Ultimately, his sentence was not carried out, and his fate remains unknown.

Some perpetrators were less fortunate. Zbigniew Grącki (Grądzki), a police corporal from the 26th Polish Police Station in Żoliborz, was liquidated by a Warsaw District Kedyw unit in January 1944. Grącki was charged with collaborating with the Gestapo, and his liquidation was decided on in mid-September 1943, "resulting from the discovery of the fact of his involvement in […] the blackmailing of persons of Jewish origin in hiding."[176] Sgt. Ewald

[171] AIPN, 1558/45, Meldunek [Report], manuscript, no date, p. 231; ibidem, Report concerning Mikołaj Polewka, April 12, 1944, p. 233; ibidem, Letter of 'Za-sza' to Mr. Weber, April 18, 1944, p. 233v.

[172] AAN, 203/III-116, Polecenie rozpracowania [The command to work out] (196-P/16), September 15, 1943, p. 92.

[173] Letter of 'Chirurg' [Surgeon] (Stanisław Weber, chief of staff of the Warsaw District Command of the Home Army) to Mr. Andrzej [Rybicki], November 27, 1943, in *Kedyw Okręgu Warszawa Armii Krajowej*…, p. 111. On the list of sentences that Warsaw Kedyw units were ordered to carry out, this appears as "not executed" (ibidem, p. 124). Grochowski remained under surveillance, confirming that he was very dangerous (AAN, 203/III-111, Report no. 92 to 18b [Wydział Bezpieczeństwa i Kontrwywiadu Oddziału II KG AK – Security and Counterintelligence Department of the Second Home Army Headquarters Branch], April 29, 1944, pp. 84–85).

[174] GFH, 5966, Henryk Woliński's documents, Woliński's letter to Berman, May 2, 1944.

[175] AAN, 203/III-113, Report 993/P no. 137, June 26, 1944, p. 70.

[176] Letter of 'Narewicz' [N.N.], November 19, 1943; the list of sentences ordered to be carried out by Kedyw units of the Warsaw District (1943–1944) published in *Kedyw Okręgu Warszawa Armii Krajowej*…, pp. 109–110, 128. The details of this individual's activities are not known; he was shot dead on Mickiewicz Street.

Mareniuk (Władysław Mareniak), chief of the Kripo station in Pruszków, a neighboring town, was reportedly charged with overzealousness in hunting Jews and encouraging the population to do so, among other things. His name was listed for liquidation on May 5, and he was shot to death on June 1. His assassination was carried out as a part of an operation codenamed 'C' (for *czyszczenie*, purging).[177]

The military courts also became interested in some individuals who were being investigated by Moczarski's 'Magiel' unit. Kripo members and informers were among them, for example Sybilski whom I mentioned in the previous section. He was a Commando for Wartime Searches member and was allegedly culpable for denouncing 58 Jews. To my knowledge, the first order to place Sybilski under surveillance was issued in May 1943.[178] I have not, however, discovered any evidence confirming that he was actually assassinated.[179] In the case of Marian Bąk and his sister-in-law Malewska (Walewska, in fact), the leaders of a gang of 13 blackmailers, things ended differently. Bąk and Irena Walewska, mentioned by Moczarski during his 1956 retrial, died on April 13, 1944, shot in the backs of their heads in the bathroom of their apartment at 62/84 Filtrowa Street. The individuals who did so took jewelry and various other things.[180] There are, however, no reports on the activities of Bąk and Walewska.[181] We also do not know the circumstances of their convictions. Their names were not made public along with others found guilty by the WSS.[182]

Neither did the underground press print the names of two other Kripo men liquidated on the basis of WSS sentences. This matter is not insignificant when one takes into account that they had participated in blackmailing Adolf Berman. He was arrested at the corner of Marszałkowska Street and Jerozolimskie Avenue on January 4, 1944. Three secret agents took him to the Polish Police station at the main railroad station on Jerozolimskie Avenue. Extortionists knowing full well whom they had caught, they demanded half a million złotys; after some haggling, they agreed to accept 200,000.[183] Two infamous Kripos were suspected

[177] See Marat, Wójcik, *Ptaki drapieżne*…, pp. 65–71. Alternate spelling: Maryniak.

[178] AAN, 203/III-116, Dyrektywa 993/P, May 26, 1943, p. 36.

[179] A woman who worked as a Kripo secretary heard both of the conviction and that it was reportedly carried out (AIPN, 0423/3402, Protokół przesłuchania Marii Dzięgielewskiej [Minutes of the interrogation of Maria Dzięgielewska], January 15, 1950, p. 18).

[180] CAW, II.44.5, Kronika policyjna [The Police Chronicle], entry from April 13, 1944, p. 121.

[181] Ibidem, entry from April 14, 1944, p. 121; AŻIH, 301/5830, A note for ŻIH. The evidence included expense reports and telephone numbers of collaborators (AIPN, GK 317/700, Protokół rozprawy, Zeznanie Moczarskiego [Minutes of the trial, Testimony of Moczarski], December 5, 1956, p. 186).

[182] Moczarski also mentioned other Kripo officers' names who participated in hunting for Jews in hiding. However, that was not the main reason for their liquidations.

[183] The information gleaned from Berman's letters to the RPŻ written immediately after the incident is in Libionka, *Wokół korespondencji Adolfa Bermana z Henrykiem Wolińskim*, pp. 381–385.

of being involved in Berman's arrest, Cpl. Kazimierz Lubarski and platoon leader Marian Szwed. The latter had already been sentenced to death by the WSS on November 22, 1943, but his liquidation was delayed as he had forged relations with Kedyw soldiers of the Warsaw District assigned to carry out his death penalty. One of them was Lt. Jerzy M. Tabęcki, alias 'Lasso', the same person who participated on April 22, 1943 in one of the combat operations outside the ghetto walls. Ultimately Szwed, 'Lasso', and their comrades were ambushed near Wilson Square on April 15, 1944; they were shot dead in the presence of Józef Rybicki, head of the Kedyw in the AK's Warsaw District.[184] The writer of the report from the day of Szwed's liquidation had no doubt that this action was justified: "His excessive 'zeal' and servility towards the Germans goes beyond all bounds. He is a notorious blackmailer, already well-known and hated by the whole city."[185]

Unfortunately, I have been not able to find any documents pertaining to Lubarski. Some postwar accounts indicate that he had cooperated closely with his neighbor, Sgt. Zygmunt Głowacki of the Commando for Wartime Searches.[186] In 1943, Lubarski was assassinated by the underground in his apartment at 100 Pańska Street.[187] Realizing he was wanted, the blackmailer had gone into hiding, but Izabela 'Teresa' Horodecka, a reconnaissance-group member in the 993/W unit, was able to trace his whereabouts. Horodecka, who kept a close eye on a pharmacy Lubarski owned, eavesdropped on a conversation he had with a drugstore clerk on the delivery of some medication. It turned out that a deliveryman took that medication to Lubarski's apartment, where the blackmailer had stopped before fleeing the city. On the evening of February 16, Horodecka led the liquidation group to his apartment. Luck was on their side: they found Lubarski preparing for the trip to Krynica, where he intended to settle permanently.[188]

It's obvious that both policemen were killed for the whole of their criminal enterprises. In this case, however, the underground proved extremely effective in dealing with the members of the police gang, who had a clear understanding of how the assistance program for Jews was run. After news of Szwed's death broke, Berman attended the RPŻ meeting for the first time in four months.[189]

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[184] See Józef Rybicki, *Notatki szefa warszawskiego Kedywu* [Notes of the head of the Warsaw Kedyw] (Warsaw: WUW, 2001), pp. 136–148; AAN, 202/II-44, Kronika wydarzeń [Chronicle of Current Events], p. 332. Leon Miller, a Kripo sergeant, was also killed in this operation.

[185] AAN, 203/III-111, Report 993/P no. 81, April 15, 1944, pp. 38–39.

[186] AIPN, GK 317/248, Protokół przesłuchania Bolesława Epelbauma [Minutes of the interrogation of Bolesław Epelbaum], February 4, 1950, p. 58.

[187] AAN, 202/II-44, Kronika wydarzeń [Cronicle of Current Events], p. 262.

[188] Archiwum Historii Mówionej Muzeum Powstania Warszawskiego [Oral History Archive of the Warsaw Uprising Museum], Interview with Izabela Horodecka, October 3, 2005, http://ahm.1944.pl/Izabela_Horodecka/14 (accessed April 5, 2018).

[189] GFH, 5966, Henryk Woliński's documents, Woliński's letter to Berman, May 2, 1944; Temkin-Bermanowa, *Dziennik z podziemia*…, p. 21, entry from May 5, 1944.

The case of Władysław Urbański, another blackmailer who had allegedly been involved in Berman's arrest, was – as Woliński put it in a note to Berman – "in progress." Despite this, that "notorious murderer and persecutor of Jews" managed to escape with his life.[190]

Numbers, Estimates, and Conclusions

The literature on this subject tends to rely on estimates that Ernst and Koziołkiewicz provided in their testimonies. They testified that 200 cases were referred to the CSS; half of them were brought before the court, and the court issued 60 to 70 death sentences. Of those cases, 30 percent related to "criminals who were chiefly guilty of persecution of Jews."[191] The former CSS prosecutor, Koziołkiewicz specified that the verdicts "concerned first of all two categories of persons: 1. those who had committed crimes against Jewish people (which constituted about 30 percent of all cases) 2. members of the Blue Police, as well as persons who had collaborated with the Germans." The court pronounced about 40 sentences and 80 persons might have been convicted.[192] Ernst offered slightly different figures: "there were about 100 cases submitted with indictments, the number of sentences passed amounted certainly to 60 to 80;" of these "at most half, or even less" were executed. Elsewhere, he estimated the number of sentences passed to be "over 40."[193] Due to the loss of documentation, verifying those estimates and examining the court's procedures is impossible. We know that without exception the court was very meticulous as to how all proceedings were conducted. The CSS came under criticism for its excessive formalism, as well as for repeatedly returning

[190] GFH, 5966, Henryk Woliński's documents, Woliński's letter to Berman, 2 May, 1944; AŻIH, 301/5830, Note for the ŻIH. According to Moczarski, he was sentenced to 12 years of prison (AIPN, GK 317/700, Minutes of the trial, Testimony of Moczarski, December 5, 1956, p. 186). According to Władysław Bartoszewski, he was an active Party member after the war, and his incarceration period was brief (ibidem, Minutes of the trial, December 7, 1956, p. 227; see also Steinsberg, *Widziane z ławy obrończej*…, p. 62, where she states that he worked in Lębork).

[191] Prekerowa, *Konspiracyjna Rada Pomocy Żydom*…, p. 294. Leszek Gondek repeats these data (idem, *W imieniu Rzeczypospolitej*…, p. 76).

[192] AIPN, 0330/108, vol. 1, Protokół rozprawy, Zeznanie Koziołkiewicza [Minutes of the trial, Testimony of Koziołkiewicz], April 26, 1954, p. 236; ibidem, vol. 2, Protokół rozprawy, Zeznanie Koziołkiewicza [Minutes of the trial, Testimony of Koziołkiewicz], May 8, 1955, p. 93. He later repeated it at the hearing in the case of Moczarski, Kurczewski, and Krak on December 7, 1956. He claimed then that "the courts were established to combat the extermination of Jews" (p. 240–240v).

[193] Ibidem, vol. 1, Zeznanie Ernsta [Tstimony of Ernst], December 14, 1951, p. 88; ibidem, vol. 2, Protokół rozprawy, Zeznanie Ernsta [Minutes of the trial, Testimony of Ernst], March 9, 1955, p. 102v; AIPN, GK 317/700, Protokół rozprawy, Zeznanie Ernsta [Minutes of the trial, Testimony of Ernst], December 7, 1956, pp. 249–251; 41 sentences are named here.

cases for more information.[194] Suffice it to say that 'Start' in the first quarter of 1944 transferred 91 cases to the prosecutor, while the court issued verdicts in only nine of them. Of the next 38 cases referred between May 25 and June 25, guilty verdicts were arrived at in only four.[195] Moczarski's 'Magiel' unit, in turn, purportedly delivered complete files for 60 cases.[196] Given that these data are only for the first half of 1944, the total number of cases referred to the court significantly exceeded the 200 that Koziołkiewicz indicated.

As to sentences executed, the figures given by Koziołkiewicz are closer to reality. By statute, CSS sentences should have been made public, with the exception of "instances in which it would be temporarily precluded for safety reasons." This may have occurred a few times, but there is no doubt that the majority of the judgments were publicized.[197] Announcements that ran in *Biuletyn Informacyjny* in 1943 disclose the names of 19 persons liquidated by judgment of the Warsaw CSS, while those published in 1944 (through August 1) reveal another 12 names.[198] Six of the 31 convicted who were liquidated were charged with persecuting Jews, which constitutes 19.35 percent. Although this estimate is significantly lower than the one Koziołkiewicz put forward, it is still by no means a modest result. Besides, one should also include the case of Cpl. Cebul, as he was most likely convicted along with his crony Pietrzak but his sentence was not publicized, as well as the case of the blue policeman Durant, whose sentence was not carried out. This would mean that at least eight persons had been convicted. The status of the Bąk and Walewska case remains unclear. We know in some cases that the court suspended proceedings concerning persecutors of Jews until after the war, but the exact number of such cases is unknown. Taking into account how many investigations had been opened and were ongoing, this number cannot be small.

Understandably, the quest to collect information on every one of the convicts, and all their crimes, was not entirely successful. It is obvious, though, that some blackmailers and *szmalcowniks* committed crimes against Jews and against Poles

[194] The 'Start' report for May 1944 is cited in the trial material (AIPN, 0330/108, vol. 1, Testimony of Ernst, p. 241). This situation was a source of discouragement and irritation, and raised doubts about the sense of intelligence efforts (Marszalec, *Ochrona porządku i bezpieczeństwa publicznego*…, p. 68).

[195] Quoted in ibidem, pp. 67–68.

[196] AIPN, GK 317/700, Protokół rozprawy [Minutes of the trial], December 5, 1956, p. 195v; see also Steinsberg, *Widziane z ławy obrończej*…, p. 59.

[197] Of the nine "delinquents" the Warsaw District Kedyw had been ordered to liquidate, seven names were made public (*Kedyw Okręgu Warszawa Armii Krajowej*…, pp. 98–100). One of those sentences may not have been executed.

[198] In one case, six of ten names listed in KWC announcents had been published previously. I also do not include the names of 11 Gestapo agents whose liquidation by the sentence of the Special Court was reported without providing any details, by *Biuletyn Informacyjny* 9 (February 24, 1944). I assume that those judgments were issued by the WSS.

trying to help them, but also acted detrimentally against Poles who were not involved in aiding Jews, and even at times to the detriment of the underground. Boris Pilnik is a representative example of this category. In the court's written sentence, it placed special emphasis on his crimes against Jews – probably for propaganda value, and in response to 'Żegota' demands – but accusations presented in investigation reports make it clear that those represent only a part of his criminal activities. The case of Pietrzak is similar. The case of Parys and Walesiak of Mińsk Mazowiecki shows that those who hunted Jews posed a threat to ethnic Poles as well. Furthermore, one cannot rule out the possibility that other persons convicted by the CSS could also have committed crimes against "Polish citizens of Jewish origin," but that fact is just not mentioned in their sentences. For example, Jan Żmirkowski, whose liquidation the KWP announced along with those of Łakiński and Szostak, is also thought to have persecuted Jews. The CSS sentence states that he had been an agent for the Gestapo, but without giving any further specifics.[199] However, the executor of the sentence, Stanisław Sękowski, maintained after the war that Żmirkowski "was the leader of a gang of robbers in service of the Gestapo" that denounced Jews in hiding.[200] It is unknown from where that information came, given the fact that liquidators were not privy to the details of sentences.

Now let's address the next issue: the dates when the Warsaw courts reached their first verdicts. I've already pointed out that sections of postwar testimonies of Kwasiborski, Ernst, and Koziołkiewicz concerning the context in which the civil courts were created should be regarded with caution. It seems that these men harbored the delusion that, by emphasizing efforts "Fighting Poland" had made to curb blackmailing, they might alter the attitude of their Communist investigators and judges. In fact, neither in late 1942 and early 1943 nor later would Jewish affairs have been seen as a priority by the respective civil courts, due to the fact that to the Polish underground leadership those were always a secondary concern. Yet the source material presented in this article allows us to challenge the assertion found in the literature on the subject that it wasn't until July 1943 that the problem of blackmailers began to be addressed. Pilnik had been sentenced prior to April 30, Karcz prior to May 21. These findings are of some significance, implying that roadblocks at that time may have been created not by the CSS and the KWC, but by the executive bodies. In 1943, when

[199] Prekerowa states (without citing a source) that Żmirkowski "was known in the Powiśle quarter as 'a Gestapo agent and persecutor of Jews'" (eadem, *Konspiracyjna Rada Pomocy Żydom*..., p. 286). He was convicted on January 11, 1944 (AIPN, 0330/108, vol. 1, Letter of 'Alfa' [Koziołkiewicz] to Mr. 'Zoja' [Eustachy Krak, head of the Warsaw KWP], January 15, 1944, p. 289). He was shot and fatally wounded on February 15, 1944. Żmirkowski's name is already on a list prepared by the counterintelligence for the purpose of the 'Topiel' ['Whirlpool'] operation (AIPN, 1558/95, October 4, 1943, p. 7), but with no description of his activities.

[200] AIPN, 317/701, Protokół przesłuchania Stanisława Sękowskiego [Minutes of interrogtion of Stanisław Sękowski, November 29, 1950, p. 265v.

the Delegation office did not yet have its own liquidation groups, Kedyw units – of the KG AK as well as of the AK's Warsaw District – hadn't managed to deal for months with sentences they had been ordered to execute.

According to information from the 'K' List, almost four months passed from the time the order to liquidate Pilnik had been issued until it was executed; in Karcz's case, it was over five months. Even more time was needed to carry out the sentences on Pietrzak and Cebul. As for delays in the publication of those judgments, they were measured in weeks, sometimes even months. Actually, this was true of most judgments. There is also the possibility that the Warsaw CSS sanctioned judgments previously issued by military organizations.

To date, researchers have been troubled mainly by the question of why the underground waited so long to deal with the blackmailing issue. Equally puzzling is judicial passivity in 1944. Setting aside those perpetrators whose sentences were all published that year, there is only Łakiński, who was convicted in Warsaw in 1944! Truth be told, even this isn't certain, as one can only venture a guess as to when his sentence was passed. And even taking into consideration the unexecuted sentence passed on Durant, the difference remains huge between the number of cases referred and investigated and the number of judgments pronounced. And it is little consolation that elsewhere the situation was even worse. The CSS in Cracow issued a comparable number of verdicts. By the end of July 1944, 37 sentences had been executed, and the criminals' names were publicized (20 in 1943 and 17 in 1944), and only three of them – that is to say, 8.01 percent – were passed on persecutors of Jews; those three were all pronounced in 1943.[201] Although there was a very good relationship between the Cracow court and the local branch of the Council for Aid to Jews (one judge was the 'Żegota' secretary), this did not influence the court's effectiveness in prosecuting blackmailers and *szmalcowniks*, which remained lower in Cracow than in Warsaw. Civil courts in other parts of the occupied country did not pass any sentences on persecutors of Jews, or at least none were made public. In total, the public was informed about nine death sentences passed and carried out for the persecution of Jews. Stefan Korboński, who was well informed by virtue of the post he held, estimated that, out of several thousand cases investigated across the whole country, fewer than 200 death sentences were carried out.[202] That means, even if we combine the number of blackmailers whose sentences were published with the number of unconfirmed cases, that the number of sentences passed on persecutors of the Jews doesn't exceed 5 percent.

The estimates for Warsaw and the entire territory of the occupied country look different if we add verdicts pronounced by the military courts. Then the ratio becomes even smaller: while military courts issued more judgments than

[201] In this case, as well, the problem was much more complicated. Here, though, I have no room to discuss it.

[202] Korboński, *Polskie Państwo Podziemne*…, p. 85.

the CSS, in both instances the numbers of blackmailers and informers liquidated for persecuting Jews were low. According to the estimate put forward by Andrzej Krzysztof Kunert (often cited in the literature), military courts passed about 350 sentences: the WSS operating at the AK High Command and the WSS for the Warsaw District each pronounced 100 verdicts, while the WSS for the Warsaw Region passed 150 verdicts.[203] This article recounts several cases of individuals who, among their other crimes, were also accused of persecuting Jews and were sentenced to death. One has to keep in mind that crimes against Jews didn't carry much weight in decisions about liquidating perpetrators; of primary importance here was the risk they posed for the underground movement. Although these death sentences could not act as a deterrent because the underground press did not report on them, these cases remain noteworthy, and one should appreciate their real significance.

Teresa Prekerowa writes about several liquidations carried out in 1943 and more than 15 throughout 1944 (a great exaggeration). She concludes that "[in 1944] the participation of the underground justice in efforts to assure the security of the Jews in hiding was extensive." In light of the source material I have gathered, her thesis should be regarded as no more than a case of wishful thinking. Arczyński's assertion that "after a few months of inflicting punishment, the number of blackmails has decreased to such an extent that it has never again become a more serious problem in the operation 'Żegota'"[204] is even more detached from reality. It is true that 'Żegota' stopped flooding the Delegation office with letters urging that appropriate steps be undertaken against blackmailers. It did this, though, not due to the fact that the problem had been resolved but because other matters became far more pressing, above all the bitter struggle for subsidies upon which the lives of thousands of Jews in hiding depended. Besides, it can't be ruled out that one result of this lack of constant pressure from 'Żegota' was the low activity of the Warsaw court and other civil courts in 1944.

Given that the number of blackmailers and *szmalcowniks* is estimated at several thousand, the number of those liquidated following CSS judgments was indeed small.[205] Still, one should also bear in mind that the overall number of CSS verdicts can hardly be viewed as impressive. This couldn't have been otherwise,

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[203] Andrzej Krzysztof Kunert, "Wojskowe Sądownictwo Specjalne ZWZ-AK [Military Special Judiciary of the Union of Armed Forces-AK]," *Więź*, 2 (1981): 106–124.

[204] Arczyński, Balcerak, *Kryptonim „Żegota"*…, p. 92.

[205] Gunnar S. Paulsson estimates that there could have been 2,700 of them and, in another article, even 3,000 to 4,000 (idem, *Secret City: The Hidden Jews of Warsaw, 1940–1945,* [New Haven – London: Yale University Press 2002] quoted in Polish edition: *Utajone miasto. Żydzi po aryjskiej stronie Warszawy 1940–1945*, trans. Elżbieta Olender-Dmowska (Cracow: Znak i Centrum Badań nad Zagładą Żydów IFiS PAN, 2008), p. 217; idem, "Stosunki polsko-żydowskie w okupowanej Warszawie (1940–1945) [Polish-Jewish Relations in Occupied Warsaw (1940–1945)]," in *Akcja Reinhardt. Zagłada Żydów w Generalnym Gubernatorstwie*

as the court with jurisdiction over cases not only from Warsaw but also from the Warsaw Voivodship was staffed only with three judges *working after hours* (!) and a prosecutor. The military court tended to hear cases against blackmailers only if the perpetrators posed a threat to the underground operations or were AK members.[206] Yet another problem was the execution of sentences. The situation had improved after the KWP was established but even then the number of investigations didn't translate into the number of sentences being handed down. Considering the extent of pathology and demoralization, the effectiveness of the CSS remained quite low. And even if there were a few more blackmailers and informers convicted, that wouldn't settle the problem. Due both to procedures the underground civil courts were required to follow and their actual capabilities, they couldn't gain control over the plague of blackmailing or, for that matter, over the issue of common crime and denunciations in the occupied country. It's hard to resist the conclusion that all writers taking up this topic have considerably overestimated the real capabilities of the institutions of the Polish Secret State.

There is one more issue of a general nature that is equally important in this context. The publication of sentences pronounced on blackmailers, *szmalcowniks*, and informers served as a deterrent and an educational tool. First, the public reading the sentences printed in *Biuletyn Informacyjny* (distributed throughout the occupied country) was made aware that participating in the persecution of Jews was subject to condemnation by the Polish Underground State in the same way as other forms of collaboration and treason were. Second, most of those sentences actually categorize Jews as citizens. The rulings of the courts were, then, among only a few official enunciations in which that delineation was so strongly and unequivocally emphasized. The effectiveness of their efforts is another issue.

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[206] It turned out that the military special court sentenced the Urbański mentioned in the text and several other persecutors of Jews to death, but the sentences could not be carried out due to lack of time. See: Dariusz Libionka, "Prześladowcy Żydów przed Wojskowym Sądem Specjalnym Komendy Głównej AK w 1944 r. [Persecutors of Jews before the AK Main Command's Court Martial in 1944]," *Zagłada Żydów. Studia i Materiały* 15 (2019): 371–408.

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